FEDERAL REGISTER

VOLUME 20 NUMBER 192

Washington, Saturday, October 1, 1955

TITLE 3—THE PRESIDENT

PROCLAMATION 3114

GENERAL PULASKI'S MEMORIAL DAY, 1955

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Count Casimir Pulaski, a Polish patriot, came as a young man to the United States and proffered his services to the Revolutionary forces, bringing, as he himself declared, nothing but the integrity of his heart and the fervency of his zeal; and

WHEREAS he earned the commission of brigadier general in the Continental Army, contributed nobly to the cause of American independence, and gave his life for that cause on October 11, 1779, when he died of a wound inflicted two days earlier while he was leading a cavalry attack on Savannah during the siege of that city; and

WHEREAS it is fitting that in recognition of his inspiring courage and transcendent love of liberty we should pay public tribute to Casimir Pulaski on the one hundred and seventy-sixth anniversary of his death:

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate Tuesday, the eleventh day of October, 1955, as General Pulaski's Memorial Day; and I direct that the flag of the United States be displayed on all Government buildings on that day. I also invite all our people to observe that day with ceremonies commemorative of General Pulaski's supreme sacrifice for freedom's sake.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 24th day of September in the year of our Lord nineteen hundred and [SEAL] fifty-five, and of the Independence of the United States of America the one hundred and eightieth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 55-8004; Filed, Sept. 29, 1955; 3:21 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS; WEST VIRGINIA

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below are determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 311.29, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties.

WEST VIRGINIA

County	Average value
Berkeley	$20,000
Boone	15,000
Braxton	15,000
Brooke	15,000
Cabell	20,000
Calhoun	15,000
Clay	15,000
Doddridge	15,000
Fayette	15,000
Gilmer	15,000
Grant	15,000
Greenbrier	20,000
Hampshire	20,000
Hancock	15,000
Hardy	15,000
Harrison	20,000
Jackson	22,000
Jefferson	20,000
Kanawha	20,000
Lewis	20,000
Lincoln	15,000
Logan	15,000
McDowell	10,000
Marion	15,000
Marshall	20,000
Mason	22,000
Mineral	16,000
Monongalia	15,000
Monroe	20,000
Morgan	16,000
Nicholas	15,000
Ohio	20,000
Pleasants	16,000
Pocahontas	16,000
Preston	15,000
Putnam	20,000
Raleigh	15,000

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

WEST VIRGINIA—Continued

County—Continued	Average value
Taylor	$15,000
Wayne	15,000
Wetzel	15,000
Wood	22,000

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Interprets or applies sec. 3 (a), 60 Stat. 1074; 7 U. S. C. 1003 (a))

Dated: September 27, 1955.

[SEAL] H. C. SMITH,
Acting Administrator
Farmers Home Administration.

[F. R. Doc. 55-7960; Filed, Sept. 30, 1955; 8:54 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1955 Payment Program (Pulled Wool), Amdt. 1]

PART 472—WOOL

SUBPART—1955 PAYMENT PROGRAM FOR LAMBS AND YEARLINGS (PULLED WOOL)

The regulations issued by Commodity Credit Corporation and the Commodity Stabilization Service, containing the requirements of the 1955 Payment Program for Lambs and Yearlings (Pulled Wool) Revised, and published in 20 F. R. 5741, are hereby amended by deleting the last sentence of § 472.671 (c) (1) (iv) and substituting the following therefor: "An order buyer, commission firm, or dealer shall use a particular code symbol to refer to only one slaughterer, but may use more than one code symbol to refer to the same slaughterer, during the marketing year: *Provided*, That the order buyer, commission firm, or dealer who uses more than one code symbol to refer to the same slaughterer indicates on his file copy of each account of purchase or invoice, as the case may be, the code symbol he used in connection with such transaction in referring to the slaughterer to whom the account of purchase or invoice is addressed."

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 702-709, 68 Stat. 910-912; 15 U. S. C. 714c, 7 U. S. C. 1781-1787, 1446)

Issued this 28th day of September 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture
and President of Commodity
Credit Corporation.

[F. R. Doc. 55-7957; Filed, Sept. 30, 1955; 8:52 a. m.]

[1955 C. C. C. Grain Sorghums Distress Loan Program Bulletin 1]

PART 473—SPECIAL PRICE SUPPORT PROGRAMS

SUBPART—1955 CROP GRAIN SORGHUM DISTRESS LOAN PROGRAM

A price support program has been announced for the 1955 crop of grain sorghums and the applicable regulations (20 F. R. 3701 and 5447) have been issued by Commodity Credit Corporation. This bulletin contains the regulations applicable to the 1955-Crop Grain Sorghums Distress Loan Program through which, as an adjunct to the price support program, recourse loans on grain sorghums are made available through the Commodity Credit Corporation and the Commodity Stabilization Service (hereinafter referred to in this bulletin as CCC and CSS, respectively) This program is designed to assist producers in holding their grain sorghums until they can qualify for the regular nonrecourse loans under the price support program.

Sec.
473.251 Administration.
473.252 Availability of loans.
473.253 Disbursement of loans.
473.254 Approved lending agencies.
473.255 Eligible producer.
473.256 Eligible grain sorghums.
473.257 Storage.
473.258 Determination of quantity.
473.259 Determination of quality.
473.260 Liens.
473.261 Service charges.
473.262 Set-offs.
473.263 Interest rate.
473.264 Release of grain sorghums; transfer of producer's interest.
473.265 Safeguarding of the grain sorghums.
473.266 Insurance.
473.267 Losses in quantity or quality.
473.268 Personal liability.
473.269 Loan rates.
473.270 Maturity.
473.271 Settlement.

AUTHORITY: §§ 473.251 to 473.271 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421.

§ 473.251 *Administration.* The program to which this subpart applies will be administered by CSS under the general direction and supervision of the Executive Vice President, CCC, and, in the field, will be carried out by Agricultural Stabilization and Conservation State Committees and Agricultural Stabilization and Conservation County Committees (hereinafter called State and county committees) and CSS commodity offices. All documents will be approved by the county office manager, or other employee of the county office designated by him to act in his behalf. Such designations shall be on file in the county office. Copies of all such documents shall be retained in the county office. County office managers, State and county committees, and CSS commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements hereto.

§ 473.252 *Availability of loans*—(a) *Approved forms.* Loans will be evidenced by promissory notes and loan agreements and secured by chattel mortgages.

(b) *Area.* Distress loans are authorized on grain sorghums (1) stored on the ground, or (2) stored in temporary facilities, in areas in any State where the State Committee determines that conditions are such that the grain sorghums can be so stored temporarily. In areas where it is not feasible to store grain sorghums on the ground, the State Committee may authorize distress loans on grain sorghums stored in temporary facilities only.

(c) *Where to apply.* Application for a distress loan should be made at the office of the county committee which keeps the farm program records.

(d) *When to apply.* Loans will be available from the date the program is announced for the area by the State Committee. The final date of availability of loans shall be 30 calendar days after the date the program is announced for the area, or 30 calendar days after the producer completed harvest of the grain sorghums tendered for loan, whichever is later, and the applicable loan documents must be signed by the producer and delivered to the county committee not later than the final date of availability of loans. The applicable loan documents are the Producer's Note and Supplemental Loan Agreement (Commodity Loan Form A), the Supplemental Loan Agreement—Distress Loans, and the Commodity Chattel Mortgage (Commodity Loan Form AA) It shall be the responsibility of the producer to ascertain from the county committee whether the program has been announced for the area and the date that the program was announced.

§ 473.253 *Disbursement of loans.* Disbursement of loans will be made to producers by county offices by means of sight drafts drawn on CCC, or by approved lending agencies under agreement with CCC. No disbursements shall be made later than 15 days after the final date of availability of loans unless authorized by the Executive Vice President, CCC. Payment in cash, credit to the

producer's account, or the drawing of a check or draft shall constitute disbursement. The producer shall not present the loan documents for disbursement unless the grain sorghums are in existence and in good condition. If the grain sorghums were not in existence and in good condition at the time of disbursement, the proceeds shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized under this subpart, the producer shall be personally liable for repayment of the amount of such excess.

§ 473.254 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity, with which CCC has entered into a lending agency agreement.

§ 473.255 *Eligible producer* An eligible producer shall be an individual, partnership, association, corporation, estate, trust, or other business enterprise, or legal entity, and wherever applicable, a State, political subdivision of a State, or any agency thereof, producing grain sorghums in 1955 as landowner, landlord, tenant, or sharecropper.

§ 473.256 *Eligible grain sorghums.* The conditions of eligibility for grain sorghums shall be the same as under the 1955-crop grain sorghums price support program (§ 421.1228 of 1955 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Grain Sorghums, 20 F R. 3701) except that there shall be no requirement for storing grain sorghums for a specified period prior to inspection.

§ 473.257 *Storage.* (a) Temporary storage facilities shall be facilities which, in the opinion of the county committee, are suitable for the temporary storage of grain sorghums.

(b) Grain sorghums piled on the ground shall be protected from animals and shall be piled on ground which will afford maximum protection from water damage.

§ 473.258 *Determination of quantity.* (a) The quantity of grain sorghums placed under loan will be estimated, but measurements, threshing records, and other guides shall be used to the extent that they are practicable or available.

(b) The quantity of any grain sorghums delivered to CCC shall be determined by weight. In determining the quantity by weight, a unit of 100 pounds shall be 100 pounds grain sorghums free of dockage. In determining the quantity of sacked grain sorghums by weight, a deduction of three-fourths of a pound for each sack shall be made.

§ 473.259 *Determination of quality.* The class, subclass, grade, grading factors, and all other quality factors shall be determined in accordance with the methods set forth in the Official Grain Standards of the United States for Grain Sorghums, whether or not such determinations are made on the basis of an official inspection.

§ 473.260 *Liens.* If there are any liens or encumbrances on the grain sorghums, proper waivers must be obtained.

§ 473.261 *Service charges.* The producer shall pay a service charge of 2 cents per 100 pounds for each hundredweight of grain sorghums placed under a distress loan, or $3.00 whichever is greater. Such service charge shall be collected from the proceeds of the loan at the time the loan is disbursed. State committees, however, are authorized to require prepayment of $3.00 of the service charge at the time a producer applies for a loan. If, on or before the maturity date of the note, the producer obtains a regular price support loan on the grain sorghums under the 1955 grain sorghums price support program, he shall pay an additional service charge of 2 cents per 100 pounds if placed under farm-storage loan, and 1 cent per 100 pounds if placed under warehouse-storage loan, for each hundredweight by which the quantity of grain sorghums placed under the regular loan exceeds the total hundredweight placed under the distress loan. No refunds of service charges will be made.

§ 473.262 *Set-offs.* Set-offs shall be made against the proceeds of the distress loan in accordance with the provisions of § 421.1010 of 1955 C. C. C. Grain Price Support Bulletin 1, 20 F R. 3017.

§ 473.263 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum from the date of disbursement of the loan, except that where there is a default in satisfaction of the loan, the deficiency shall bear interest at the rate of 6 percent per annum from the date of default.

§ 473.264 *Release of grain sorghums; transfer of producer's interest.* A producer may at any time obtain release of the grain sorghums under loan by paying to the holder of the note the principal amount thereof, plus charges and accrued interest. All charges in connection with the collection of the note shall be paid by the producer. Upon presentation of the paid note, the county committee shall arrange for the release of the chattel mortgage. The producer shall not transfer either his remaining interest in or his right to redeem the grain sorghums mortgaged as security for a distress loan nor shall anyone acquire such interest or right. A producer who wishes to liquidate all or part of his loan by contracting for the sale of the grain sorghums must obtain written prior approval of the county committee on Commodity Loan Form 12 to remove the grain sorghums from the premises when the proceeds of the sale are needed to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers, at the office of the county committee.

§ 473.265 *Safeguarding of the grain sorghums.* The producer obtaining a distress loan shall take whatever action is practicable to keep the grain sorghums in good condition, and in the event of damage to the commodity, he shall notify the county committee in writing of such damage.

§ 473.266 *Insurance.* CCC will not require the producer to insure the commodity placed under loan; however, if the producer insures such commodity and an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest.

§ 473.267 *Losses in quantity or quality.* CCC will not assume losses in the quantity or quality of the grain sorghums occurring for any reason.

§ 473.268 *Personal liability.* The making of any fraudulent representation by the producer in the loan documents, or in obtaining the loan or the conversion or unlawful disposition of any portion of the commodity by him, may render the producer subject to criminal prosecution under the Federal Law and shall render him personally liable not only for the amount of the loan (including interest) but also for any resulting expense incurred by any holder of the note.

§ 473.269 *Loan rates.* Loans will be made under this program at 80 percent of the regular county rate established for the grain sorghums under the 1955-crop grain sorghums price support program.

§ 473.270 *Maturity.* Loans will mature 90 days from the date of the note, or earlier on demand.

§ 473.271 *Settlement*—(a) *Producer eligible for regular loan.* If on or before maturity, the producer places the grain sorghums in approved farm-storage or in an approved warehouse, he may obtain a regular price support loan at the full support rate. The regular loan will be made at the full support rate on the basis of the quantity and quality of eligible grain sorghums which have been placed in an approved storage structure. When the regular loan is made, the principal of the distress grain sorghums loan, plus interest at the rate of 3½ percent per annum from the date of disbursement of the distress loan to the date of disbursement of the regular loan, shall be repaid to CCC either in cash or out of the proceeds of the regular loan. If the producer does not obtain a regular loan, he shall upon maturity repay his distress loan in cash or deliver the grain sorghums to CCC as set forth in paragraphs (c) and (d), respectively, of this section.

(b) *Producer not eligible for a regular loan.* If, on or before maturity, the producer does not place the grain sorghums in approved farm storage or approved warehouse storage, or if the grain sorghums are not eligible for a regular loan, the producer shall, upon maturity, repay his distress loan in cash or deliver the grain sorghums to CCC as set forth in paragraphs (c) and (d), respectively, of this section.

(c) *Repayment of distress loan.* Repayments made in satisfaction of distress loans shall be made in cash and shall include the amount of the principal due on the loan plus interest at the rate of 3½ percent per annum from the date of disbursement to the date of repayment (except that loans in default will bear interest at the rate of 6 percent from the date of default)

(d) *Delivery to CCC.* If the producer desires to deliver the grain sorghums he

should, prior to maturity, give the county committee notice in writing of his intention to do so. Delivery of the grain sorghums to CCC shall be made in accordance with instructions issued by the county committee. When the grain sorghums are delivered to CCC under the distress loan, credit shall be given to the producer for the quantity and quality of grain sorghums actually delivered, at the market price at the time and place of delivery as determined by CCC. *Provided, however* That if such grain sorghums are sold by CCC in order to determine the market price, the settlement value shall not be less than such sales price. If the amount of such credit exceeds the amount due on the principal of the loan plus interest, the amount of the excess shall be paid to the producer by sight draft drawn on CCC by the ASC county committee, subject to set-off in accordance with § 473.262. If the amount of such credit is less than the amount due on the principal of the loan plus interest, the amount of the deficiency plus interest thereon shall be paid to CCC. Any payment which would otherwise be due to the producer under any agricultural program administered by the Secretary of Agriculture, or any other payments which are due or may become due the producer from CCC or any other agency of the United States, may be set off against such deficiency.

(e) *Payments and collections; amounts not exceeding $3.00.* To avoid administrative costs of making small payments and handling small accounts, amounts due the producer of $3.00 or less will be paid only upon his request and a deficiency of $3.00 or less, including interest, may be disregarded by a producer unless demand for payment is made by CCC.

Issued this 27th day of September 1955.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President, Commodity Credit Corporation.

[F. R. Doc. 55-7959; Filed, Sept. 30, 1955; 8:53 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 811, Amdt. 2]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

PRORATION OF 1955 QUOTA FOR FOREIGN COUNTRIES OTHER THAN CUBA AND REPUBLIC OF THE PHILIPPINES

Basis and purpose. This amendment is issued pursuant to the Sugar Act of 1948, as amended, hereinafter referred to as the "act" and is made for the purpose of prorating among those foreign countries other than Cuba and the Republic of the Philippines which will be able to fill additional prorations, that part of the basic quota for all such foreign countries which will not be filled by the countries to which it was originally prorated.

Section 204 (b) of the act provides that whenever the Secretary finds that any country will be unable to fill the proration to such country of the quota for foreign countries other than Cuba and the Republic of the Philippines established under section 202 (c) he may apportion such unfilled amount on such basis and to such countries as he determines is required to fill such proration.

This amendment increases the prorations of the quota to three specified countries.

In order to afford adequate opportunity to ship the sugar as authorized by this amendment, it is essential that the revised prorations be made effective immediately. Therefore, it is hereby found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendment herein made shall become effective on the date of its publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, 65 Stat. 318, 7 U. S. C. Sup. 1100) and the Administrative Procedure Act (60 Stat. 237) section 811.74 of Sugar Regulation 811, as amended (19 F. R. 9209, 20 F. R. 5386), is amended by adding paragraphs (c) and (d) as follows:

§ 811.74 *Proration of quota for foreign countries other than Cuba and the Republic of the Philippines.* * * *

(c) *Deficit in prorations of foreign countries other than Cuba and the Republic of the Philippines.* It is hereby determined, pursuant to section 204 (b) of the act, that 4,235 short tons, raw value, of the quota for foreign countries other than Cuba and the Republic of the Philippines prorated to El Salvador in paragraph (b) of this section will not be filled by that country.

(d) *Allotment of unfilled prorations.* The amount of sugar determined in paragraph (c) of this section is hereby prorated pursuant to subsection (b) of section 204 of the act, as follows:

Country:	*Additional prorations in short tons, raw value*
Dominican Republic	2,635
Haiti	274
Mexico	1,176
Total	4,235

Statement of bases and considerations. This proration has been made in accordance with the provisions of section 204 (b) of the act heretofore stated, and subject to the provisions of section 204 (c) of the act which provides that the quota for any domestic area, the Republic of the Philippines, Cuba or other foreign countries as established under the provisions of section 202 shall not be reduced by reason of any such determination of a deficit.

El Salvador has not utilized any of its proration of the "full duty" quota nor has any sugar been entered from this country since 1949. All other countries receiving specific prorations have either filled their quota by September 1 or indicated their intention and ability to do so by December 31. Of the countries receiving specific prorations, the Dominican Republic, Haiti and Mexico participate in the International Sugar Agreement and have additional sugar available for importation before the end of the year. Therefore, the quantity of sugar determined in § 811.75 (c) has been prorated to the Dominican Republic, Haiti and Mexico in proportion to the prorations established in § 811.74 (b) of Sugar Regulation 811, Amendment 1 (18 F. R. 9209, 20 F. R. 5386)

After giving effect to the changes set forth in § 811.74 (d) the current adjusted prorations of quota for the "full-duty" countries are as follows:

Country:	*Adjusted prorations short tons, raw value*
Dominican Republic	31,433
El Salvador	------
Haiti	3,041
Mexico	13,033
Nicaragua	8,105
Peru	53,733
Unspecified countries	5,733
Total	115,100

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 202, 204; 61 Stat. 924, as amended, 925, as amended; 7 U. S. C. 1112, 1114.)

Done at Washington, D. C., this 28th day of September 1955. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Secretary of Agriculture.

[F. R. Doc. 55-7933; Filed, Sept. 30, 1955; 8:53 a. m.]

Subchapter G—Determination of Proportionate Shares

[Sugar Determinations 857.5, Amdt. 3; 857.6, Amdt. 1]

PART 857—SUGARCANE, PUERTO RICO

1952-53 AND 1953-54 CROPS

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended (hereinafter referred to as "act"), subparagraph (7) of paragraph (a), § 857.5 of the Determination of Proportionate Shares for Farms in Puerto Rico for the 1952-53 Crop, issued July 17, 1952 (17 F. R. 6686), as amended December 31, 1952 (18 F. R. 160) and May 25, 1953 (18 F. R. 3059) and subparagraph (5) of paragraph (a) § 857.6 of the Determination of Proportionate Shares for Farms in Puerto Rico for the 1953-54 Crop, issued November 6, 1953 (18 F. R. 7159) are hereby amended by adding the following sentence to the end of each of such subparagraphs: "Notwithstanding the table of tolerances provided in this subparagraph, the Director of the Sugar Division, Commodity Stabilization Service may authorize payment for the amount of sugar within the farm proportionate share in any case where he determines that a producer, exercising reasonable care not to exceed his proportionate share and relying upon either an incor-

rect notification or failure to receive notification from a processor with respect to the quantity of sugar recovered from sugarcane delivered or the quantity of sugarcane that could be delivered within the farm proportionate share, has delivered to a processor for the production of sugar or liquid sugar, sugarcane from which sugar or liquid sugar is recovered in excess of the farm proportionate share plus the applicable tolerance established under the preceding subparagraph."

Statement of bases and considerations. This revision of the original determinations of proportionate shares issued for the Puerto Rican sugarcane crops of 1952–53 and 1953–54, provides that the Director of the Sugar Division, Commodity Stabilization Service, may authorize payment to any producer who for reasons beyond his control markets sugarcane grown on his farm which yields an amount of sugar in excess of the farm's proportionate share, plus the applicable tolerance, and it is determined that such producer exercised reasonable care not to exceed his proportionate share.

Tolerances in marketings have been deemed necessary as it is impossible, because of the significant variations in the quality of the sugarcane during the grinding season, to gauge accurately the precise quantities of sugarcane which will result in the production of exact quantities of sugar. Processors determine yields of sugar from sugarcane periodically during the grinding season and maintain cumulative sugarcane delivery and sugar production records for individual producers. They advise producers from time to time during the milling season concerning the estimated quantities of sugarcane which may be marketed to fill individual farm proportionate shares. Accordingly, compliance with proportionate shares issued in terms of sugar is in part dependent upon close and timely cooperation between processors and producers. Therefore, when a processor fails to give proper or accurate information of the amount of sugarcane that could be delivered to fill the remaining portion of a grower's proportionate share, such grower would be disqualified for payment. To disqualify a producer for payment in cases in which the grower has undertaken to keep within compliance and has had reason to believe he was in compliance, would be unjustifiable.

Accordingly, I hereby find and conclude that the foregoing amendments to the Determinations of Proportionate Shares for Sugarcane Farms in Puerto Rico for the Corps of 1952–53 and 1953–54 will effectuate the applicable provisions of the act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. 1132)

Issued this 28th day of September 1955.

[SEAL] TRUE D. MORSE,
Secretary of Agriculture.

[F. R. Doc. 55-7956; Filed, Sept. 30, 1955; 8:52 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 56]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA.

LIMITATION OF HANDLING

§ 922.356 *Valencia Orange Regulation 56*—(a) *Findings.* (1) Pursuant to Order No. 22 (7 CFR Part 922) regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective March 31, 1954, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Valencia Orange Administrative Committee held an open meeting on September 29, 1955, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order* (1) The quantity of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., October 2, 1955, and ending at 12:01 a. m., P. s. t., October 9, 1955, is hereby fixed as follows:

(i) District 1. Unlimited movement;

(ii) District 2: 415,800 boxes;

(iii) District 3: Unlimited movement.

(2) Valencia oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "handler," "boxes," "District 1," "District 2," and "District 3," shall have the same meaning as when used in said order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 30, 1955.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-8023; Filed, Sept. 30, 1955; 11:25 a. m.]

[Docket No. AO-101-A21]

PART 941—MILK IN THE CHICAGO, ILL., MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING OF MILK IN CHICAGO, ILL., MARKETING AREA

§ 941.0 *Findings and determination.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Part 900), a public hearing was held at Chicago, Illinois, on August 24, 1955, upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand

for such milk and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making effective not later than October 1, 1955, this order amending the order, as amended. This action is necessary in the public interest to reflect current marketing conditions. Accordingly, any delay in the effective date of this order beyond the aforesaid date, will seriously impair orderly marketing of milk in the Chicago, Illinois, marketing area. The provisions of the said amendatory order are well known to handlers, the public hearing having been held on August 24, 1955, and a decision having been issued on September 23, 1955. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this amendatory order 30 days after its publication in the FEDERAL REGISTER (see section 4 (c) Administrative Procedure Act, 5 U. S. C. 1001 et seq.)

(c) *Determination.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping the milk covered by this order amending the order, as amended, which is marketed within the Chicago, Illinois, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who, during the determined representative period (June 1955) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Chicago, Illinois, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

In § 941.52 (a) (3) and (b) (3) change the periods at the end of the sentences to commas and add: "and except that in October and November 1955 this subparagraph shall not apply to shipments made by a handler on Friday and Saturday in each week which are not in excess of the handlers' total receipts of milk from producers on the same two days."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 29th day of September 1955, to be effective on and after the 1st day of October 1955.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 55-7997; Filed, Sept. 30, 1955; 8:55 a. m.]

[Lemon Reg. 609]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.716 *Lemon Regulation 609.*— (a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F. R. 7175; 20 F. R. 2913), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on September 28, 1955, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 2, 1955, and ending at 12:01 a. m., P. s. t., October 9, 1955, is hereby fixed as follows:

(i) District 1. Unlimited movement;

(ii) District 2: 225 carloads;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "carloads," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 29, 1955.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-8003; Filed, Sept. 30, 1955; 9:23 a. m.]

[957.313 Amdt. 4]

PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

LIMITATION OF SHIPMENTS

Findings. (a) Pursuant to Marketing Agreement No. 98 and Order No. 57, as amended (7 CFR Part 957) regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Idaho-Eastern Oregon Potato Committee, established pursuant to said marketing agreement and order, as amended, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this

amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this amendment, (iii) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (iv) reasonable time is permitted, under the circumstances, for such preparation, and (v) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

Order as amended. The provisions of § 957.313 (b) (1) (20 F R. 4794, 5807, 6075, 6729) are hereby amended to read as follows:

(b) *Order* (1) During the period from October 3, 1955, to June 30, 1956, both dates inclusive, no handler shall ship potatoes of any variety unless at least 90 percent of such potatoes are "fairly clean" and (i) if they are of the Kennebec variety such potatoes meet the requirements of the U. S. No. 2 or better grade, 2 inches minimum diameter or 4 ounces minimum weight, (ii) if they are of the long or other round white varities (including, but not limited to, the Russet Burbank, White Rose, and Early Gem varieties) such potatoes meet the requirements of the U. S. No. 2 or better grade, Size A, 5 ounces minimum weight, or meet the requirements of the U. S. No. 1 or better grade, Size A, 2 inches minimum diameter or 4 ounces minimum weight, and (iii) if they are of the red skin varieties, such potatoes meet the requirements of the U. S. No. 2 or better grade, 2 inches minimum diameter, as such terms, grades, and sizes, are defined in the United States Standards for Potatoes (§§ 51.1540 to 51.1559 of this title) including the tolerances set forth therein.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 28th day of September 1955, to become effective October 3, 1955.

[SEAL] FLOYD F HEDLUND,
Acting Director
Fruit and Vegetable Division.

[F R. Doc. 55-7955; Filed, Sept. 30, 1955; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supp. 1]

PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

CAA RULES, POLICIES, AND INTERPRETATIONS

This supplement contains all the CAA rules, policies, and interpretations issued by the Administrator implementing Part 22 of the Civil Air Regulations. These rules, policies, and interpretations are published as Civil Aeronautics Manual 22 and provide an applicant with information relative to the issuance of a student (§ 22.10) private (§ 22.11), commercial (§ 22.12) or free balloon (§ 22.13) lighter-than-air pilot certificate.

Included for the guidance of an applicant are CAA policies regarding (1) where to obtain application forms and make application for lighter-than-air pilot certificates (§ 22.20) (2) the issuance of temporary certificates and the reissuance of certificates held by aliens (§ 22.21) and (3) who will give written examinations and flight tests (§ 22.24)

The type of airman identification acceptable to the Administrator, the form and manner of application are prescribed, together with an additional policy indicating that identification cards which meet the requirements of this part will also meet the requirements of other airman certificates the applicant may hold (§ 22.32)

The proposed rules for §§ 22.32–1 through 22.32–3 were published on November 20, 1953, in 18 F R. 7364. Interested persons were afforded an opportunity to submit written views, data, or argument. Consideration has been given to all relevant data presented.

The following rules, policies, and interpretations are hereby adopted:

§ 22.10–1 *Where to obtain student lighter-than-air pilot certificates (CAA policies which apply to § 22.10)* Student lighter-than-air pilot certificates may be obtained by qualified applicants from Aviation Safety Agents in Aviation Safety District Offices.

§ 22.10–2 *Minor applicants (CAA interpretations which apply to § 22.10 (a))* Unmarried applicants under 21 years of age must furnish the written consent of either parent, or legal or natural guardian, in the space provided on the application, or on a separate sheet. No consent is required for married male applicants under 21, but a married female applicant under 21 years of age must furnish the consent of her husband, who may be under 21.

§ 22.10–3 *Evidence of meeting physical standards (CAA policies which apply to § 22.10 (e))* The Administrator, or his representative (Aviation Safety Agent or lighter-than-air pilot examiner) will accept a first- second- or third-class medical certificate issued within 24 months preceding the date of applicant as evidence of the applicant's meeting the physical standards.

§ 22.10–4 *Color deficiency limitation (CAA policies which apply to § 22.10 (e))* When an applicant holds a medical certificate bearing the notation Defective Color Vision, the student pilot certificate will bear the limitation Not Valid for Night Flight or by Color Signal Control. This limitation may be removed by the successful completion of a special medical test authorized by the CAA Medical Division, W–265, Washington 25, D. C.

§ 22.11–1 *Evidence of meeting physical standards (CAA policies which apply to § 22.11 (e))* The Administrator, or his representative (Aviation Safety Agent or lighter-than-air pilot examiner) will accept a first-, second-, or third-class medical certificate issued within 24 months preceding the date of application as evidence of the applicant's meeting the physical standards.

§ 22.11–2 *Color deficiency limitation (CAA policies which apply to § 22.11 (e))*. When an applicant holds a medical certificate bearing the notation Defective Color Vision, the private pilot certificate will bear the limitation Not Valid for Night Flight or by Color Signal Control. This limitation may be removed by the successful completion of a special medical test authorized by the CAA Medical Division, W–265, Washington 25, D. C.

§ 22.11–3 *Demonstration of aeronautical knowledge (CAA policies which apply to § 22.11 (f))* Applicants for a private lighter-than-air pilot certificate will be required to pass the appropriate written examination furnished by the Administrator within 24 months prior to the date of issuance of the certificate. To pass the examination the applicant is required to answer correctly, within one hour, 45 of the 50 questions on the examination.[1] The applicant will be required to pass the written examination before the practical examination can be taken.

§ 22.11–4 *Prerequisite for taking written examination (CAA policies which apply to § 22.11 (f))* Applicant will be required to hold a valid student lighter-than-air pilot certificate.

§ 22.11–5 *Evidence of flight experience (CAA policies which apply to § 22.11 (g))* Flight experience required by § 22.11 (g) should be substantiated by a logbook maintained in accordance with the requirements of § 22.32 (f)

§ 22.11–6 *Flight test (CAA policies which apply to § 22.11 (h))*.—(a) Applicant will be required to successfully accomplish the following maneuvers:[2]

(1) Ground handling and mooring.
(2) Preflight checks.
(3) Run-ups.
(4) Takeoffs.
(5) Ascents.
(6) Turns (right and left) and figure 8's.
(7) Straight and level flight.
(8) Descents.
(9) Landings (positive static balance)
(10) Landings (negative static balance)

§ 22.11–7 *Quality of performance (CAA policies which apply to § 22.11 (h))* The applicant will be required to demonstrate his ability to exercise reasonable judgment and smoothness in

[1] Complete information on the coverage of the private pilot written examination is found in the CAA booklet, "Questions and Answers for Private Pilots," for sale at most airports, and at the U. S. Government Printing Office, Washington, D. C. (25 cents).

[2] See Appendix A for Guide to Satisfactory Performance of Required Maneuvers. Appendix A not filed with Federal Register Division.

all required flight maneuvers. Exercise of reasonable judgment will be demonstrated when the conduct of the flight maneuver results in compliance with Part 60 of this subchapter, avoidance of critical situations which require corrective action by the agent or examiner to maintain continued safe operation, and the observance of accepted good operating practices for flight conditions encountered.

§ 22.11–8 *Conduct of flight test (CAA policies which apply to § 22.11 (h)).* The flight test will be conducted by an Aviation Safety Agent or a private or commercial lighter-than-air pilot examiner. The flight test, including all maneuvers, will be discussed thoroughly with the applicant so as to insure complete understanding of what is expected.

§ 22.11–9 *Military competence requirements; written examination; private lighter-than-air pilot (CAA policies which apply to § 22.11 (i)).* An applicant for a private lighter-than-air pilot certificate based on military competence will be required to accomplish satisfactorily within one hour an examination on Parts 43 and 60 of this subchapter with a passing grade of not less than 70 percent.

§ 22.11–10 *Documentary evidence acceptable for issuance of certificate based on military competence (CAA policies which apply to § 22.11 (i))* (a) An official identification card indicating that the applicant is a member of the armed forces of the United States or a civilian employee of the ferry or transport services thereof is acceptable documentary evidence. Documentary evidence of flight status will consist of (1) official orders to solo flight status, or (2) a copy of USAF Form 5 or a copy of a USN flight log properly endorsed to show solo flight status, or (3) official orders showing graduation from and rating as a lighter-than-air pilot by a military flying school, or (4) a copy of orders showing duty involving flying as a rated lighter-than-air pilot, or (5) a properly executed Certificate of Pilot Status, Form ACA–356, signed by the appropriate commanding officer.

§ 22.11–11 *Evidence of military discharge or release; private lighter-than-air pilot (CAA policies which apply to § 22.11 (i))* Documentary evidence of honorable discharge or release from the armed forces should consist of an original or photostatic copy of such discharge or release. Persons discharged from the service or removed from flight status for reasons of flight deficiency, for the good of the service, or as a result of disciplinary action will not be issued a lighter-than-air pilot certificate on the basis of military competency.

§ 22.12–1 *Evidence of meeting physical standards (CAA policies which apply to § 22.12 (e))* The Administrator, or his representative, will accept a first- or second-class medical certificate issued within 12 months preceding the date of the application as evidence of the applicant's meeting the physical standards.

§ 22.12–2 *Color deficiency limitation (CAA policies which apply to § 22.12 (e))* When the applicant holds a medical certificate bearing the notation Defective Color Vision, the commercial pilot certificate will bear the limitation Not Valid for Night Flight or by Color Signal Control. This limitation may be removed by the successful completion of a special medical test authorized by the CAA Medical Division, W–265, Washington 25, D. C.

§ 22.12–3 *Demonstration of aeronautical knowledge; commercial lighter-than-air pilot (CAA policies which apply to § 22.12 (f))* The applicant for a commercial lighter-than-air pilot certificate will be required to pass a written examination provided by the Administrator. A passing grade of at least 70 percent is required. Applicants who pass the written examination will be given a report of grade achieved. This report, and reports previously issued, will be accepted within a maximum period of 24 months from date of issuance as evidence of having met this certificate requirement.

§ 22.12–4 *Written examination (CAA policies which apply to § 22.12 (f)).* (a) The written examination for commercial lighter-than-air applicants will consist of the commercial pilot and instrument rating examinations. Subjects covered are as follows:

(1) Civil Air Regulations, including both visual and instrument flight rules.
(2) Navigation by dead reckoning, pilotage, and by radio.
(3) Meteorology.
(4) General servicing and operation of airships.

(b) The applicant will be required to pass the written examination before the practical examination can be taken. Written examinations will be valid for the issuance of a commercial lighter-than-air certificate for a period of 24 months.

(c) An applicant who holds a valid heavier-than-air commercial pilot certificate will be required to pass only the general servicing and operation of airship and instrument examination.

(d) An applicant who holds a valid heavier-than-air commercial pilot certificate with an instrument rating will be required to pass only the general servicing and operation of airships.

§ 22.12–5 *Prerequisite for taking written examination (CAA policies which apply to § 22.12 (f))* To be eligible to take the commercial lighter-than-air written examination, an applicant will be required to hold either a private lighter-than-air pilot certificate or a valid student lighter-than-air certificate which has been endorsed for solo and cross country.

§ 22.12–6 *Evidence of flight experience (CAA policies which apply to § 22.12 (g))* Flight experience required by §22.12 (g) should be substantiated by a logbook maintained in accordance with § 22.32 (f)

§ 22.12–7 *Flight test (CAA policies which apply to § 22.12 (h)).* (a) Applicant will be required to successfully accomplish the following maneuvers: [3]

(1) Ground handling and mooring.
(2) Preflight check.
(3) Run-ups.
(4) Takeoffs.
(5) Ascents.
(6) Turns (right and left) and figure 8's.
(7) Straight and level flight.
(8) Precision turns (180° and 360°)
(9) Climbing turns.
(10) Diving turns.
(11) Descents.
(12) In flight ETA computations.
(13) Radio operation and tuning.
(14) Radio orientation.
(15) Beam bracketing and tracking.
(16) Locating cone of silence.
(17) Traffic control and approach procedure.
(18) Landings (positive static balance)
(19) Landings (negative static balance).

§ 22.12–8 *Quality of performance (CAA policies which apply to § 22.12 (h))* The applicant will be required to demonstrate his ability to exercise reasonable judgment and smoothness in all required flight maneuvers. Exercise of reasonable judgment will be demonstrated when the conduct of the flight maneuver results in compliance with Part 60 of this subchapter avoidance of critical situations which require corrective action by the agent or examiner to maintain continued safe operation, and the observance of accepted good operating practices for flight conditions encountered.

§ 22.12–9 *Conduct of flight test (CAA policies which apply to § 22.12 (h)).* The flight test will be conducted by an Aviation Safety Agent or a commercial lighter-than-air pilot examiner. The test, including all maneuvers, will be discussed thoroughly with the applicant so as to insure complete understanding of what is expected.[4]

§ 22.12–10 *Radio skill (CAA policies which apply to § 22.12 (i))* Final approach procedures for airplanes need not necessarily be followed by lighter-than-air applicants. An applicant may elect to consider his initial approach as a final approach and go direct to the airport, if such procedure does not require more than 90° of turn over the station. Orientation and approach procedures will be discussed prior to the flight test. Orientation and approach may be made utilizing either LF or VHF range facilities.

§ 22.12–11 *Military competence requirement—written examination—commercial lighter-than-air pilot (CAA policies which apply to § 22.12 (j))* An applicant for a commercial lighter-than-

[3] See appendix A for Guide to Satisfactory Performance of Required Maneuvers. Appendix A not filed with Federal Register Division.

[4] See appendix A for Guide to Satisfactory Performance of Required Maneuvers. Appendix A not filed with Federal Register Division.

air pilot certificate based on military competence will be required to accomplish satisfactorily within one hour an examination on Parts 43 and 60 of this subchapter, with a passing grade of not less than 70 percent.

§ 22.12–12 *Documentary evidence acceptable for issuance of certificate based on military competence (CAA policies which apply to § 22.12 (j))* (a) An official identification card indicating that the applicant is a member of the armed forces of the United States or a civilian employee of the ferry or transport services thereof is acceptable documentary evidence. Documentary evidence of flight status will consist of (1) official orders to solo flight status, or (2) a copy of USAF Form 5 or a copy of a USN flight log properly endorsed to show solo flight status, or (3) official orders showing graduation from the rating as a lighter-than-air pilot by a military flying school, or (4) a copy of orders showing duty involving flying as a rated lighter-than-air pilot, or (5) a properly executed Certificate of Pilot Status, Form ACA–356, signed by the appropriate commanding officer.

§ 22.12–13 *Evidence of military discharge or release—commercial lighter-than-air pilot (CAA policies which apply to §22.12 (j))* Documentary evidence of honorable discharge or release from the armed forces should consist of an original or photostatic copy of such discharge or release. Persons discharged from the service or removed from flight status for reasons of flight deficiency, for the good of the service, or as a result of disciplinary action will not be issued a lighter-than-air pilot certificate on the basis of military competency.

§ 22.13–1 *Written examination (CAA policies which apply to § 22.13 (f))* Applicants for a free balloon pilot certificate will be required to pass the appropriate written examination furnished by the Administrator within 24 months prior to the date of issuance of the certificate. To pass the examination the applicant is required to answer correctly, within one hour, 45 of the 50 questions on the examination which covers Civil Air Regulations, meteorology, navigation, and general operation of free balloons.[5] The applicant will be required to pass the written examination before the practical examination can be taken.

§ 22.13–2 *Prerequisite for taking written examination (CAA policies which apply to § 22.13 (f))* Applicant will be required to hold a valid student lighter-than-air pilot certificate.

§ 22.13–3 *Evidence of flight experience (CAA policies which apply to § 22.13 (g))* Flight experience required by § 22.13 (g) must be substantiated by a logbook maintained in accordance with § 22.32 (f)

[5] Complete information on the coverage of the free balloon pilot written examination is found in the CAA booklet, Questions and Answers for Private Pilots, for sale at most airports, and at the U. S. Government Printing Office, Washington, D. C. (25¢)

§ 22.13–4 *Flight test (CAA policies which apply to § 22.13 (h))* (a) Applicant will be required to successfully accomplish the following maneuvers:[6]

(1) Ground handling and mooring.
(2) Preflight checks.
(3) Takeoffs.
(4) Ascents.
(5) Descents.
(6) Landings (positive static balance)

§ 22.13–5 *Quality of performance (CAA policies which apply to § 22.13 (h))* The applicant will be required to demonstrate his ability to exercise reasonable judgment in all required flight maneuvers. Exercise of reasonable judgment will be demonstrated when the conduct of the flight maneuver results in compliance with Part 60 of this subchapter, avoidance of critical situations, and the observance of accepted good operating practices for the flight conditions encountered.

§ 22.13–6 *Conduct of flight tests (CAA policies which apply to § 22.13 (h))* Following successful completion of the written examination, the flight test will be conducted by an Aviation Safety Agent. The test, including all maneuvers, will be discussed thoroughly with the applicant so as to insure complete understanding of what is expected.

§ 22.20–1 *Where to obtain forms and make application (CAA policies which apply to § 22.20)* (a) Application forms are obtainable from a representative of the Administration or one of its regional, district, or field offices.

(b) An application for a lighter-than-air pilot certificate is to be presented in person to an Aviation Safety Agent or to a designated lighter-than-air pilot examiner.

(c) An applicant qualifying on the basis of military competency (see § 22.11 (i) and § 22.12 (j) is to present his application to an Aviation Safety Agent.

§ 22.21 (c)–1 *Reissuance of certificates held by aliens (CAA policies which apply to § 22.21 (c))* Lighter-than-air pilot certificates or free balloon pilot certificates held by individuals other than United States citizens, which are about to expire or have expired, will be reissued by Aviation Safety Agents upon receipt of application for renewal.

§ 22.21–2 *Issuance of temporary lighter-than-air pilot certificates (CAA policies which apply to § 22.21 (d))* Temporary lighter-than-air pilot certificates are issued to qualified applicants by Aviation Safety Agents and designated lighter-than-air pilot examiners pending the examination of the applicants' records and the issuance of certificates of greater duration by the Administrator.

§ 22.24–1 *Examinations and tests (CAA policies which apply to § 22.24)* Written examinations will be given only by Aviation Safety Agents. Flight tests may be conducted by Aviation Safety Agents or designated private or commercial lighter-than-air pilot examiners.

[6] See appendix A for Guide to Satisfactory Performance of Required Maneuvers. Appendix A not filed with Federal Register Division.

§ 22.32–1 *Airman identification card (CAA rules which apply to § 22.32 (g))* An Airman Identification Card, Form ACA–2135, is issued by the Administrator and may be used to meet the requirements of § 22.32 (g)

§ 22.32–2 *Other identification cards acceptable to the Administrator (CAA rules which apply to § 22.32 (g))* (a) Identification cards which are acceptable in lieu of Form ACA–2135 to meet the requirements of § 22.32 (g) are as follows:

(1) Aircrewman Identification Card, Form ACA–2116.1, issued by CAA.
(2) Crew Member Certificate, Form ACA–2116.1, issued by CAA. This certificate is a current revision of the Aircrewman Identification Card.
(3) Current identification cards issued to members on active duty or on reserve status by:
(i) U. S. Army.
(ii) U. S. Navy.
(iii) U. S. Air Force.
(iv) U. S. Marine Corps.
(v) U. S. Coast Guard.
(vi) U. S. Merchant Marine.
(vii) National Guard.
(viii) Civil Air Patrol.

§ 22.32–3 *Application (CAA rules which apply to § 22.32 (g))* An applicant for an airman identification card shall comply with the following procedures:

(a) *Application.* The applicant shall apply in person to an Aviation Safety Agent, or an Aviation Safety District Office.

(b) *Form.* Application for Airman Identification Card, Form ACA–2134, shall be completed in single copy, typed or printed in ink, and contain precise information on each item.

(c) *Proof of identity.* The applicant shall furnish proof of his identity. The agent may exercise his discretion in the method by which he identifies the applicant. Identification of the applicant may be established by one or more of the following means:

(1) Airman Identification Card, Form ACA–935, issued by the CAA to the applicant during World War II.
(2) The agent's knowledge of the applicant's identity.
(3) The applicant's identification by a person known to the agent.
(4) Combinations of identification cards and licenses held by the applicant.
(5) Comparison of the applicant's signature with that on other cards and licenses held by him.

(d) *Proof of place and date of birth.* The following documentary evidence is satisfactory evidence of place and date of birth:

(1) Airman Identification Card, Form ACA–935, issued by CAA during World War II. (If he held this card and lost it, he may write to CAA, Airman Records Branch, Washington 25, D. C., and obtain confirmation that it was issued to him and the information it contained.)
(2) Birth certificate: (When the applicant's birth certificate does not con-

tain the exact name now used by him, he shall explain the difference on the application form.)

(3) Baptismal record, if it contains the full name and place and date of birth.

(4) Naturalization papers, if place and date of birth are shown.

(5) Passport, expired or current.

(6) Aircrewman Identification Card, or Crew Member Certificate, Form ACA–2116.1.

(7) Statement from any State or Federal Government agency which has the applicant's birth certification on file.

(8) Statement from any military, State, municipal, local or Federal Government agency which has established, by investigation or otherwise, the applicant's place and date of birth.

(i) Applicants who cannot furnish any of the documents listed in subparagraphs (1) through (8) of this paragraph may present affidavits from attending physician, either parent, brother, sister, relative, or acquaintances who have personal knowledge of the applicant's place and date of birth.

(ii) Military identification cards, service records, discharge papers, drivers' licenses, and the like are not acceptable documentary evidence of place and date of birth.

(e) *Evidence of citizenship.* The following documentary evidence is satisfactory evidence of citizenship.

(1) Any document listed in paragraph (c) of this section if citizenship is claimed in the country of birth.

(2) Naturalization papers.

(3) Currently valid passport.

(4) Statement from an appropriate official of a foreign government that the applicant is a citizen of that country.

(5) Certified statements from persons, courts, or agencies in authority on cases of derivative citizenship, uncompleted naturalization, or other complex citizenship status. Such statements must contain information on the current status of the applicant's citizenship.

(f) *Photographs.* The applicant shall furnish two photographs which are:

(1) Taken from the same negative.

(2) One-inch square, full face, head only.

(3) Taken within the past 12 months, and

(4) Readily recognizable as photographs of applicant.

(g) *Fingerprints.* The applicant shall be fingerprinted only by an Aviation Safety Agent or other CAA employee authorized by the agent.

(h) *Reissuance of lost card.* An applicant who has lost his Airman Identification Card, Form ACA–2135, may obtain another by making application exactly as required for his original card, or by

(1) Writing to the CAA Airman Record's Branch, W–253, Washington 25, D. C., and explaining the circumstances of the loss, and requesting a letter verifying that such card had been issued, and

(2) Presenting the letter and two photographs, as required for original issuance, to an Aviation Safety Agent who will issue a duplicate card.

§ 22.32–4 *Other airman certificates (CAA policies which apply to § 22.32 (g)).* An identification card which meets the requirements of this part for pilots will also meet the identification card requirements for any other airman certificates which he may hold.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008, as amended; 49 U. S. C. 551, 552)

This supplement shall become effective November 15, 1955.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55–7923; Filed, Sept. 30, 1955; 8:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5837]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

DOUBLEDAY AND COMPANY, INC.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Price discrimination under 2 (a) § 13.700 *Arbitrary or improper functional discounts;*[1] § 13.715 *Charges and price differentials;* § 13.770 *Quantity rebates or discounts.* Subpart—*Maintaining resale prices:* § 13.1145 *Discrimination:* Distributive channels and outlets generally.[2] In connection with the publication, sale, or distribution of trade books, in commerce, as defined, construed, and understood in the Federal Trade Commission Act and the Clayton Act: (1) Entering into, maintaining, or continuing any contract, agreement, or understanding of any nature with any book club or similar organization whereby respondent, while exempting said book club or organization from any responsibility for resale price maintenance, undertakes to fix, establish, or maintain the resale price, terms, or conditions of sale of any literary work which it publishes and sells and which it also sublicenses such book club or organization to publish and sell, in any area wherein said book club or organization and retail book sellers purchasing from respondent compete with one another in the sale of such work; and (2) discriminating, directly or indirectly, in the price of trade books published by it by selling to any purchaser at net prices higher than the net prices charged any other purchaser, competing in fact in the resale and distribution of said books; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, sec. 2, 49 Stat. 1526; 15 U. S. C. 45, 13) [Cease and desist order, Doubleday and Company, Inc., Long Island, N. Y., Docket 5837, August 31, 1955]

This proceeding was heard by Frank Hier, hearing examiner, upon the complaint of the Commission which (a) charged respondent with violation of the Federal Trade Commission Act in that (1) it granted publishing rights to book clubs while refusing to grant similar rights to competing book sellers, (2) agreed that publication of publishers' editions would not precede publication of book club editions of the same book, and (3) fixed resale prices under fair trade laws on publishers' editions while exempting the book clubs from any form of resale price maintenance with respect to their editions (Count I) its efforts to fair-trade its publishers' editions of copyrighted books through book sellers were unlawful because said books were not in "free and open competition" with copyrighted books of other publishers and were therefore not within the exemption of the Miller-Tydings and McGuire Acts (Count II) and its efforts to fair-trade its books in a situation in which it occupied a dual role as a publisher and as a retailer operating stores in certain States amounted to a "horizontal" price-fixing arrangement beyond the immunity of said Act (Count III) and which (b) charged respondent, in Count IV, with violating section 2 (a) of the Clayton Act, as amended by the Robinson-Patman Act, by discriminating in favor of certain jobbers or wholesalers to the injury of others competing with them and to the injury of respondent's competitors; and upon respondent's answer, hearings, interlocutory rulings and action, and proposed findings, conclusions, and briefs submitted by counsel and by counsel of the Book-of-the-Month Club, Inc. (by leave).

Thereafter, the matter having come on for final consideration by said hearing examiner, theretofore duly designated by the Commission, on said complaint, answer thereto, etc., as above set forth, including rulings on interlocutory appeal as a result of which the Commission sustained the examiner's prior ruling that the exclusive grant of publishing rights to the book clubs was lawfully protected by copyright; remanded his holding and decision that the simultaneous release provision was beyond the protection of the Copyright Act, and unlawful, for a determination, as decisive, as to the reasonableness of such a condition in the light of appropriate standards; and remanded his ruling, dismissing Count III; said examiner made his initial decision in which he found the proceeding to be in the interest of the public; made his findings of facts and conclusions drawn therefrom, including his findings that the simultaneous release provision was reasonable and therefore lawful; his findings that the agreements with book clubs agreeing to impose resale price maintenance on publishers' editions under conditions which exempted and favored book clubs were illegal; his findings that respondent's copyrighted trade books effectively competed on price, in substantially all instances, and always, in various other respects, with the copyrighted trade books of other publishers, and were, therefore, as to said aspect, within the immunity of the McGuire Fair Trade Act; and his finding that respondent's price discrimination, as charged, had resulted in competitive in-

[1] Amended to read as set forth above.
[2] New.

jury in violation of the amended Clayton Act; and in which he dismissed, for reasons set forth, Count II, and dismissed Count III upon the authority of the Commission's decision, subsequent to said remand, in the matter of Eastman Kodak Co., Docket 6040, involving the same issue; and in which, as to charges thus found sustained, he issued order to cease and desist.

Thereafter, following the appeal from said initial decision by counsel supporting the complaint, as to the examiner's dismissal of Count II; by both counsel as to the examiner's holding with respect to the resale price maintenance phase of Count I; and by respondent as to the finding that the price discrimination charge had been sustained; and the opinion and decision of the Commission which, otherwise sustaining the examiner's disposition of the case as correct, held, for reasons there set forth, that the examiner's view of the resale price maintenance phase of Count I and his proposed order thereunder were unduly limited and that the said order, accordingly, should be enlarged, as there noted, and that while certain evidence offered by respondent in connection with Count IV was relevant and should have been admitted by the hearing examiner, respondent was not prejudiced, under the circumstances, by the examiner's ruling; the matter was disposed of by "Final Order" dated August 31, 1955, as follows:

Counsel in support of the complaint and respondent Doubleday and Company, Inc., having respectively filed an appeal from the initial decision of the hearing examiner in this proceeding; and the matter having been heard on briefs and oral arguments of counsel, and the Commission having rendered its decision granting in part and denying in part the appeal of counsel in support of the complaint and denying the appeal of respondent and affirming the initial decision as modified.

It is ordered, That the paragraph numbered 1 of the order contained in the initial decision be, and it hereby is, modified to read as follows:

Entering into, maintaining, or continuing any contract, agreement or understanding of any nature with any book club or similar organization whereby respondent, while exempting said book club or organization from any responsibility for resale price maintenance, undertakes to fix, establish or maintain the resale price, terms or conditions of sale of any literary work which it publishes and sells and which it also sub-licenses such book club or organization to publish and sell, in any area wherein said book club or organization and retail book sellers purchasing from respondent compete with one another in the sale of such work.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order contained in the initial decision as modified herein.

Order in the initial decision, which was modified by said "Final Order" as above set out, was as follows:

It is ordered, That the respondent, Doubleday and Company, Inc., a corporation, its officers, agents, representatives and employees,[3] directly or through any corporate or other device, in connection with the publication, sale or distribution of trade books, in commerce, as "commerce" is defined, construed and understood in the Federal Trade Commission Act (15 U. S. C. sec. 45) and the Clayton Act (15 U. S. C. sec. 13) do forthwith cease and desist from:

1. Entering into, maintaining, or continuing any contract, agreement or understanding of any nature or description, with any book club or similar organization whereby respondent undertakes to fix, establish or maintain, under applicable State laws, the resale prices, terms or conditions of sale of any literary work which it publishes and sells and which it also sublicenses such book club to publish and sell, in any State where respondent does in fact fix, establish or maintain resale prices, terms and conditions on its own publications and wherein respondent does in fact compete directly or indirectly in the resale to consumers of such publications with such book club and with retail bookseller purchasers from respondent.

2. Discriminating, directly or indirectly, in the price of trade books published by it by selling to any purchaser at net prices higher than the net prices charged any other purchaser, competing in fact in the resale and distribution of said books.

It is further ordered, That the motions of counsel for respondent to dismiss the entire complaint, and so much of Count I thereof as is covered by paragraph 1 of this order, supra, and to dismiss Count IV of the complaint be, and the same hereby are, denied.

It is further ordered, That the motions of counsel for respondent to dismiss that part of Count I of the complaint not covered by paragraph 1 of this order, supra, and to dismiss Counts II and III of the complaint are hereby granted, and the described portions of the complaint are herewith dismissed.

Issued: August 31, 1955.

By the Commission.[4]

ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 55-7929; Filed, Sept. 30, 1955; 8:48 a. m.]

[3] Since the factual picture, due to interlocking officers and directorates, and the manifold subsidiary and affiliated enterprises, owned, partly owned or controlled by respondent, is so different than that presented in R. J. Reynolds Tobacco Co. vs. F. T. C. 192 F. 2d 535, 540-4, this phrase is here included.

[4] Opinions of Chairman Howery and Commissioners Mason, Mead and Secrest filed as part of original document.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 54—GOLD REGULATIONS

RECORD RETENTION REQUIREMENT

This amendment provides that persons holding licenses or acquiring, holding, or disposing of gold, pursuant to the general authorizations in §§ 54.18 and 54.21 of the Gold Regulations, shall retain the records which they are required to keep for five years instead of three years as is presently the requirement. This amendment will conform the regulations to the act of September 14, 1954, which extended the general statute of limitations, which is applicable to offenses resulting from violations of the Gold Regulations, from three years to five years.

This amendment is issued after due consideration of all relevant views and material submitted pursuant to a notice of proposed rule making published in the FEDERAL REGISTER on May 27, 1955, (20 F R. 3744) setting forth the substance and the text of the proposed rules and affording interested persons thirty days within which to submit their views in writing.

Accordingly, effective upon publication in the FEDERAL REGISTER, the first sentence of § 54.26 (b) of the Gold Regulations as amended effective July 14, 1954, is amended to read as follows:

(b) Every person holding a license issued under paragraph (a) of § 54.25, or acquiring, holding or disposing of gold pursuant to the authorizations in §§ 54.18 and 54.21, shall keep full and accurate records of all his operations and transactions with respect to gold, and such records shall be available for examination by a representative of the Treasury Department until the end of the fifth calendar year (or if such person's accounts are kept on a fiscal year) following such operations or transactions.

Dated: September 27, 1955.

[SEAL] DAVID W KENDALL,
Acting Secretary of the Treasury.

[F. R. Doc. 55-7952; Filed, Sept. 30, 1955; 8:51 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 573—APPOINTMENT OF COMMISSIONED OFFICERS AND WARRANT OFFICERS

GENERAL ELIGIBILITY REQUIREMENTS

Section 573.10 is revised to read as follows:

§ 573.10 *General eligibility requirements.* The following general eligibility requirements, all of which must be met, will govern appointments in the Regular Army.

(a) Be a citizen of the United States.

(1) An applicant who is not a citizen

by birth must furnish a certificate by an officer, notary public, or other person authorized by law to administer oaths, giving the following information:

I certify that I have this date seen the original certificate of Citizenship Number ____ (or certified copy of court order establishing citizenship) stating that

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(Full name)

was admitted to United States Citizenship by the Court of _____, _____, (County) (State)

on _____, (Date)

(2) An applicant who claims citizenship through naturalization of parent must furnish a certificate by an officer, notary public, or other person authorized by law to administer oaths, giving the following information:

I certify that I have this date seen the original Certificate of Citizenship No. ____ issued by the Immigration and Naturalization Service, Department of Justice, stating that _____, acquired citizenship (Name)

on _____ (Date)

(b) Be found physically qualified for active military service by meeting the physical standards prescribed for the Regular Army as determined by final-type medical examination subscribed within 120 days of the effective date of appointment.

(c) Be of good moral character.

(d) Have a record free of conviction by any type of military or civil court for other than a minor traffic violation. Request for waiver may be made in the case of other minor violations which are noncurrent and which are not deemed prejudicial to performance of duty as an officer. Waivers for crimes involving moral turpitude will not be granted.

(e) Not be a conscientious objector. If applicant has been a conscientious objector, he will be required to furnish an affidavit which will express his abandonment of such beliefs and principles so far as they pertain to his unwillingness to bear arms and to give full and unqualified military service to the United States, and where appropriate, he must have demonstrated that he has changed his views by subsequent satisfactory military service.

(f) Not have been separated from any of the Armed Forces of the United States with other than an honorable discharge.

(g) Not be nor have been a member of any foreign or domestic organization, association, movement, group, or combination of persons advocating subversive policy or seeking to alter the form of Government of the United States by unconstitutional means.

(h) Applicants must have reached their 21st birthday but not their 27th birthday on date of appointment. For males, this maximum age may be increased by the number of years, months, and days of active Federal commissioned service performed in the Army of the United States after attaining the age of 21 years and subsequent to December 31, 1947, but not to exceed a total of 3 years; the maximum, therefore, precludes appointment after the attainment of the 30th birthday. In the case of Women's Army Corps applicants, age 27 may be advanced by the number of years, months, and days of active Federal commissioned service performed in the Army of the United States after attaining the age of 21 years and subsequent to December 31, 1947, but not to exceed a total of 5 years; the maximum, therefore, precludes appointment after attainment of the 32d birthday. Applications from Women's Army Corps applicants under this section will not be forwarded if applicant will be ineligible by virtue of excess age within 3 months of the date the completed file will be forwarded to the Department of the Army.

[AR 601-100, July 21, 1955] (Sec. 506, 61 Stat. 890; 10 U. S. C. 506c)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55-7019; Filed, Sept. 30, 1955; 8:45 a. m.]

PART 575—ADMISSION TO THE UNITED STATES MILITARY ACADEMY

REVISION OF PART

Part 575 is revised to read as follows:

Sec.
575.1 Military Academy.
575.2 Admission; general.
575.3 Appointments.
575.4 Sources of nomination.
575.5 Entrance requirements.
575.6 Catalogue, U. S. Military Academy.

AUTHORITY: §§ 575.1 to 575.6 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply R. S. 1311, 1317, 1319, 1320, 1931, 34 Stat. 1063, 35 Stat. 441, as amended, 37 Stat. 232, 41 Stat. 548, 48 Stat. 73, as amended, 57 Stat. 383, 60 Stat. 311, as amended, 64 Stat. 303, as amended; 10 U. S. C. 4331, 1021, 1042, 1043, 1078, 1091-1, 1092a, 1033, 1093c, 1095-1099.

§ 575.1 *Military Academy*—(a) *Administration.* (1) The United States Military Academy is under the general direction and supervision of the Department of the Army. The Secretary of the Army has designated the Chief of Staff of the Army as the officer in direct charge of all matters pertaining to West Point.

(2) The immediate government and military command of the Academy and the military post at West Point are vested in the Superintendent. Subordinate to the Superintendent is the Dean of the Academic Board who has charge of the faculty and all academic work, and who acts as representative of the academic departments and as adviser on academic matters to the Superintendent. The administration and training of the Corps of Cadets is in charge of the Commandant of Cadets, who is also head of the Department of Tactics.

(b) *Mission.* (1) The mission of the United States Military Academy is to instruct and train the Corps of Cadets so that each graduate shall have the qualities and attributes essential to his progressive and continuing development throughout a lifetime career as an officer of the Regular Army.

(2) Inherent in the mission of the United States Military Academy are the objectives:

(i) To instill discipline.

(ii) To instill a high sense of honor.

(iii) To provide the knowledge and general education equivalent to that given by our leading universities, and particularly to develop the powers of analysis so that the mind may reason to a logical conclusion.

§ 575.2 *Admission; general.* (a) In one major respect the requirements for admission to the United States Military Academy differ from the normal requirements for admission to a civilian college or university: each candidate must obtain an official nomination to the Academy. The young man interested in coming to West Point should, therefore, apply for a nomination from one of the persons authorized to make nominations. The nominating authorities are listed in §§ 575.3 and 575.4. In his application the prospective candidate should request a nomination to the United States Military Academy, should give his residence, should state briefly his reasons for wanting to enter the Academy, and should give the status of his education and training.

(b) In addition to obtaining a nomination, the candidate must establish his mental and physical qualifications for admission.

(c) The specific mental examinations a candidate must take are dependent upon the amount of education he has had and upon the kind of nomination he has received. Nominations are of two kinds: noncompetitive and competitive. A noncompetitive nomination is one in which the candidate's priority for an appointment to enter the Academy (principal, first alternate, second alternate, third alternate) is designated by the nominating authority. Nominations by members of Congress constitute the greater part of noncompetitive nominations. A competitive nomination is one in which appointments to enter the Academy are awarded to those otherwise qualified candidates who make the highest scores on the mental examinations for entrance. For example, one competitive nomination category is available to men in the Armed Services. These two types of nomination are explained in detail in § 575.4.

(d) A candidate's mental qualifications for admission are determined by his performance on prescribed tests at one of the regular administrations of the College Entrance Examination Board series of tests. The Military Academy will consider scores made on the December, January, March, or May series at more than 700 College Board test centers throughout the United States and abroad; the March series is preferred. In general, a center will be within 75 miles of the candidate's home. Candidates register for the prescribed tests in accordance with the regular published instructions of the College Board and pay the required fee directly to the College Board.

(e) A competitive candidate must take the prescribed College Board tests at the March administration.

(f) A noncompetitive candidate nominated prior to the closing date for registration for the March College Board tests may take the tests prescribed for him at

the regular December, January, or March administrations; the March series is preferred.

(g) A noncompetitive candidate nominated subsequent to the closing date for registration for the March College Board tests may take the tests at the May administration of the College Board tests or the special administration of these tests held only at West Point in June.

(h) Every candidate who has completed satisfactorily the required secondary school units of study, but who has not completed at least one semester of college work will be required to take the College Board Scholastic Aptitude Test and the College Board achievement tests in Intermediate Mathematics and English Composition.

(i) All noncompetitive candidates who have completed satisfactorily the required secondary school units of study and who have also completed satisfactory work for at least one semester at college, will be required to take only the College Board Scholastic Aptitude Test.

(j) Any candidate who is unable to present evidence of satisfactory completion of a course in United States History must also take the College Board achievements test in Social Studies.

(k) The candidate's physical qualifications are determined by a thorough medical examination and physical aptitude test. To qualify, a candidate must be in good health, have good vision and hearing, have no deformities, and have the physical strength, endurance, coordination, and agility normally found in active young men in their late teens. The medical examination and physical aptitude test are held at selected military installations throughout the country (and overseas) on the Thursday and Friday preceding the regularly scheduled March administration of the College Board tests.

(l) By 1 May, candidates will have been advised whether or not they are qualified, and if fully qualified and eligible for admission, will be authorized to report to West Point on the first Tuesday in July. At that time they are sworn in as cadets of the United States Military Academy and assume an obligation to serve in the Army for a period of not less than 3 years following graduation from the Military Academy.

§ 575.3 *Appointments.* Admission to the Military Academy may be gained only by appointment to one of the 2,496 cadetships authorized by law. Graduation of the senior class normally leaves about 750 vacancies each year. Candidates may be nominated to qualify for these vacancies only during the year preceding the admission date, the first Tuesday in July. A candidate should apply for a nomination to one of the nominating authorities described in § 575.4. In the name of the President, the Department of the Army will issue a letter of notification to each candidate upon receipt of his nomination from one of the nominating sources. This letter of notification officially authorizes the candidate to be examined for appointment to enter the Academy to fill the vacancy for which he has been nominated. If, after undergoing the prescribed examinations, the nominee is appointed to fill the vacancy, he will be so advised by the Department of the Army.

§ 575.4 *Sources of nomination.* The 2,496 cadetships authorized at the Military Academy are allocated among the various sources of nomination as follows:

Noncompetitive:	
435 Representatives (4 each)	1,740
96 Senators (4 each)	384
Vice Presidential	3
Hawaii and Alaska (4 each)	8
District of Columbia	6
Canal Zone Government	2
Puerto Rico	4
Competitive:	
Army and Air Force:	
Regular Components	90
Reserve Components (National Guard of the United States; Air National Guard of the United States; Army Reserve; Air Force Reserve)	90
Presidential	89
Sons of Deceased Veterans	40
Honor Military and Honor Naval Schools	40
Total	2,496

(a) *Noncompetitive.* A noncompetitive nomination is one in which the candidate's priority for admission to the vacancy is designated by the nominating authority. Nominations of noncompetitive candidates are entirely in the hands of the nominating authorities who have the cadetships at their disposal, and all applications must be addressed to them. Many nominating authorities hold preliminary competitive examinations to select nominees. For each vacancy four candidates may be nominated: one name as principal, one as first alternate, one as second alternate, and one as third alternate. The first alternate, if qualified, will be admitted if the principal fails; the second alternate, if qualified, will be admitted if both the principal and the first alternate fail; and the third alternate, if qualified, will be admitted if the principal and the first and second alternates fail. The law requires that candidates appointed from States at large, congressional districts, the Territories, the District of Columbia, or the island of Puerto Rico, be actual residents of the geographical unit from which nominated.

(b) *Competitive.* Appointments to vacancies within competitive groups are awarded to these fully qualified candidates within each category who attain the highest scores on the College Board Achievement tests in Intermediate Mathematics and English Composition and on the Scholastic Aptitude Test. Candidates for these vacancies can qualify only by taking these three tests at the regular College Board administration in March, regardless of the extent of their education and regardless of performance on previous entrance examinations. Failure of a competitive candidate to report for the March College Board series—regardless of the circumstances—will vacate his nomination. There is no restriction on the residence of a competitive candidate. A description of the competitive nomination categories follows:

(1) *Army and Air Force.* One hundred and eighty cadetships at the Military Academy are divided equally between enlisted men of the United States Army and the United States Air Force as follows: Ninety from the Regular components (Regular Army and Regular Air Force) ninety from the Reserve components (National Guard of the United States, the Air National Guard of the United States, the Army Reserve, and the Air Force Reserve) On or about 1 June each year The Adjutant General estimates the number of vacancies that will be available for appointments to the class entering the Military Academy on the first Tuesday in July of the following year. The number of candidates nominated from each of the Regular components may be three times the number of available vacancies. For each available vacancy in the ninety cadet spaces authorized the non-Regular components, the Army and Air Force National Guard of the United States are authorized to nominate from among their combined enlisted personnel three candidates; and the Army Reserve and Air Force Reserve are authorized to nominate from among their combined enlisted personnel three candidates. Admission of candidates to fill Regular component vacancies is made from among all Regular Army and Regular Air Force competitors regardless of the command from which nominated; to fill Reserve component vacancies, from among all National Guard, Air National Guard, Army Reserve, and Air Force Reserve competitors regardless of the State, Territory, District, or command from which nominated.

(i) Regular components: An applicant must have completed at least one full year of active enlisted service in the Regular Army or Regular Air Force on the date of his admission to the Military Academy. Although his service need not have been continuous, he must be in an active enlisted status at the time of his admission. Candidates are selected nearly one year in advance of the scheduled date of admission to permit them to attend the United States Military Academy Preparatory School at Stewart Air Force Base, Newburgh, N. Y. A joint Army-Air Force publication, SR 350-90-2, AFR 35-88,[1] gives detailed directions for making application for Regular component appointments.

(ii) Reserve components: An applicant must be an enlisted man of one of the Reserve components at the time of nomination and at the time of his admission to the United States Military Academy. He must have served as an enlisted man in the component from which he nominated at least one year (not necessarily continuous) preceding the date of his admission. The Department of the Army issues a letter of appointment to each candidate selected authorizing him to report the following March for the annual entrance examination. A joint Army-Air Force publication, SR 350-90-2, AFR 35-88,[1] gives

[1] This publication may be obtained from the nearest Army or Air Force installation or by writing to The Adjutant General, Washington 25, D. C. Attn: AGPB-M.

detailed directions for making application for Reserve component nomination.

(2) *Presidential.* Eighty-nine cadetships are reserved for disposition by the President of the United States. For nearly a century these appointments have been reserved by each President for the sons of members of the regular components of the Army, Air Force, Navy, Marine Corps, and Coast Guard, who are still in service, retired, or who died while serving therein. The administration of these appointments has been delegated to the Department of the Army. Applications by those eligible should be made by letter (no prescribed form) addressed to The Adjutant General, Department of the Army, Washington 25, D. C., Attn: AGPB–M, giving the name, grade, service number, and branch of service of the parent as a member of such regular component; and the full name, address, and date of birth of the applicant (complete military address and service number if in the Armed Forces) Adopted sons are eligible for appointment if they were adopted prior to their fifteenth birthday; a copy of the order of court decreeing adoption, duly certified by the clerk of the court, must accompany the application.

(3) *Sons of deceased veterans of World Wars I or II or the Korean conflict.* Forty cadetships are provided for the sons of members of the Armed Forces of the United States who were killed in action or who died of wounds, injuries, or disease resulting from active service during World Wars I and II or between June 27, 1950, and midnight of January 31, 1955. The Veterans' Administration determines the eligibility of all applicants, and its decisions are final and binding on the Department of the Army. Application should be made by letter (no form is prescribed) addressed to The Adjutant General, Washington 25, D. C., Attn: AGPB–M. The letter should state the full name, date of birth, and address of the applicant (complete service address should be given if the applicant is in the Armed Forces) and the name, grade, service number, and last organization of the veteran parent, together with a brief statement concerning the time, place, and cause of death. The claim number assigned to the veteran parent's case by the Veterans' Administration should also be furnished.

(4) *Honor Military and Honor Naval schools.* Forty cadetships are provided for Honor Military and Honor Naval schools. Each such school of the essentially military type, as determined by annual Department of the Army and Navy inspections, may nominate three candidates annually from among its honor graduates, to compete on the March entrance examination. The number of available vacancies will be filled in the order of merit established at the examination, regardless of the schools from which the candidates are nominated. Each nomination must contain a certification by the head of the institution that the candidate is an honor graduate of a year for which the institution was designated an honor military or naval school. No student may be rated as an honor graduate unless he has shown proficiency in subjects of his school work amounting to not less than the 15 units prescribed by the regulations for admission to the United States Military Academy. However, the institution is not limited to those graduates of the current year.

(c) *Sons of Congressional Medal of Honor winners.* Sons of recipients of the Congressional Medal of Honor may be appointed to the Military Academy, provided they are qualified for admission. The administration of these appointments has been delegated to the Department of the Army. Application by those eligible should be made by letter (no form is prescribed) to The Adjutant General, Washington 25, D. C., Attn: AGPB–M. The letter should contain the applicant's full name, address, and date of birth (complete service address should be given if the applicant is in the Armed Forces) the name, grade, and branch of service of the parent and a brief statement of the date and circumstances of the award. Candidates appointed from this source may qualify in the same manner as a congressional principal candidate. All who are found fully qualified will be admitted as cadets, regardless of the number.

(d) *Filipino cadets.* In addition to the 2,496 cadetships authorized, the Secretary of the Army may permit each entering class one Filipino, designated by the President of the Republic of the Philippines, to receive instruction at the United States Military Academy.

(e) *Foreign cadets.* The act of June 26, 1946 (as amended) authorizes the President of the United States to permit not more than 20 persons at a time from the Latin-American republics and Canada to receive instruction at the United States Military Academy. Not more than three persons from any one country may be cadets at the same time. Such persons receive the same pay and allowances (including mileage from their homes in proceeding to the Military Academy for initial admission) as cadets appointed from the United States. They are not entitled, however, by reason of their graduation to appointment in the United States Armed Forces. Citizens of other foreign countries have been permitted from time to time to attend the Military Academy upon specific authorization of the United States Congress in each case. Applications must be submitted to the United States Government through diplomatic channels by the governments concerned. Requirements for the admission, advancement, and graduation of foreign cadets are similar to those for United States cadets.

§ 575.5 *Entrance requirements.* This section describes the specific requirements which candidates must fulfill in addition to obtaining an appointment as outlined in § 575.4.

(a) *Age.* On 1 July of the year admitted to the Military Academy a candidate must have attained the age of 17 years and must not have reached the age of 22. The age requirements for all candidates are statutory and cannot be waived.

(b) *Citizenship.* A candidate must be a citizen of the United States, except for those appointed specifically as foreign cadets.

(c) *Character.* Every candidate must be of good moral character.

(d) *Marital status.* A candidate must never have been married. A cadet may not marry until he has graduated from the Academy; if any cadet is found to have been married, he will be immediately separated from the Academy.

(e) *Height and weight.* No candidate will be admitted who is shorter than 5 feet 6 inches, except that a candidate who is under 20 years of age on 1 July of the year of proposed admission may be granted a waiver of 1 inch below the minimum height. In exceptional cases, where a candidate has demonstrated outstanding abilities, or has an outstanding military record, or who possess exceptional educational qualifications, the Department of the Army may authorize a waiver of 2 inches below the minimum height. Individual requests for waivers will be considered at the time the candidate undergoes the entrance examination. The weight of a candidate must be within certain limits which depend upon his height.

(f) *Admission date.* New cadets report to West Point for admission on the first Tuesday in July, except when July 4th falls on Tuesday, in which event they report on the first Wednesday in July.

(g) *Engagements to serve.* Upon admission each cadet (except foreigners) must sign articles, with the consent of his parents or guardian if he is a minor, by which he shall engage, unless sooner discharged by competent authority:

(1) To complete the course of instruction; and

(2) If tendered an appointment as a commissioned officer in the Regular Army upon graduation from the United States Military Academy, to accept such appointment and to serve under such appointment for not less than three consecutive years immediately following the date of graduation; and

(3) In the event of the acceptance of his resignation from a commissioned status in the Regular component of such armed service prior to the sixth anniversary of his graduation, or in the event of an appointment in such Regular service not being tendered, to accept a commission which may be tendered him in the Reserve components of such Regular service and not to resign from such Reserve component prior to such sixth anniversary.

§ 575.6 *Catalogue, U. S. Military Academy.* The latest edition of the Catalogue, U. S. Military Academy, contains additional information regarding the Academy and requirements for admission thereto. This publication may be obtained free of charge from the Registrar, U. S. Military Academy, West Point, N. Y., or from The Adjutant General, Department of the Army, Washington 25, D. C., Attn: AGPB–M.

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55-7823; Filed, Sept. 30, 1955; 8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PUGET SOUND AREA, WASH.

Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471) § 202.230 (a) (5) establishing and governing the use and navigation of an explosive anchorage in Puget Sound near Kingston, Washington, is hereby amended relocating the anchorage in more secluded waters south of Point Jefferson, Puget Sound, as follows:

§ 202.230 *Puget Sound Area, Wash.*—(a) *The anchorage grounds.* * * *

(5) *Port Madison explosive anchorage, Puget Sound.* The waters of Port Madison south of the 3-fathom line between longitude 122° 28′ 54″ and 122° 30′ 00″, and north of latitude 47° 44′ 00″

* * * * *

[Regs., Sept. 15, 1955, 800.2121 (Puget Sound, Wash.)—ENGWO] (Sec. 7, 38 Stat. 1053; 33 U. S. C. 471)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55-7921; Filed, Sept. 30, 1955; 8:45 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

PROVISIONAL REGULATIONS; DEFINITION OF STEPCHILD AND STEPPARENT FOR PURPOSES OF SERVICEMEN'S INDEMNITY ACT OF 1951

A new § 4.463 is added as follows:

§ 4.463 *Definition of stepchild and stepparent for purposes of Servicemen's Indemnity Act of 1951*—(a) *Scope of act.* Public Law 172, 84th Congress is applicable to claims for servicemen's indemnity regardless of whether claims were filed or awards made before or after the date of the act.

(b) *Stepchild.* Under the terms of this law, a stepchild is eligible to receive servicemen's indemnity by devolution only if the child was a member of the serviceman's household at the date of his death. This requirement is applicable both as to a minor child and one who attained his majority prior to the date of the serviceman's death. A stepchild who was designated as beneficiary may receive indemnity even though the child was not at any time a member of the serviceman's household.

(c) *Stepparent.* The act eliminates as beneficiaries who are eligible to receive servicemen's indemnity by devolution, persons who bore the bare legal relationship of stepparent to the serviceman. Eligibility requires a showing that the claimant stood in loco parentis to the serviceman. A stepparent who was designated as beneficiary may receive indemnity even though foster relationship did not exist.

(d) *"In loco parentis"* The requirement that the claimant shall have stood in loco parentis to the serviceman will be considered to have been met if the relationship existed at any time prior to the serviceman's entry into the active service provided it commenced prior to his 21st birthday and continued for at least 1 year prior to his entry into the active service.

(e) *Discontinuance of running awards.* Awards currently in course of payment to or for a stepchild or stepparent who does not meet the new definition should be discontinued effective the day preceding the due date of the installment due in October 1955. An award to any succeeding beneficiary will be made to commence with the October 1955 installment "Subject to recovery of any overpayment to prior payee" (Instruction 1, Public Law 172, 84th Congress)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective October 1, 1955.

[SEAL] J. C. PALMER,
Assistant Deputy Administrator

[F. R. Doc. 55-7953; Filed, Sept. 30, 1955; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1227]

IDAHO

RESERVING LANDS WITHIN NATIONAL FORESTS FOR USE OF THE FOREST SERVICE AS ADMINISTRATIVE SITES, RECREATION AREAS, OR FOR OTHER PUBLIC PURPOSES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the national forests hereinafter designated are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as administrative sites, recreation areas, or for other public purposes as indicated:

[Idaho 04318]

BOISE MERIDIAN

ST. JOE NATIONAL FOREST

Bearskull Administrative Site:
T. 43 N., R. 6 E.,
Sec. 2, NW¼ lot 4.
The tract described contains 9.73 acres.

Canyon Creek Administrative Site:
T. 42 N., R. 6 E.
Sec. 12, S½SE¼NW¼.
The tract described contains 20 acres.

Chickadee Administrative Site:
T. 42 N., R. 6 E.
Sec. 17, NW¼NW¼NE¼, NE¼NE¼NW¼
The tracts described contain 20 acres.

Roundtop Administrative Site:
T. 44 N., R. 5 E.,
Sec. 32, SW¼SE¼, W½SE¼SE¼.
The areas described aggregate 60 acres.

Twin Creek Administrative Site:
T. 43 N., R. 5 E.,
Sec. 12, W½NE¼, NW¼, E½SW¼.
The areas described aggregate 160 acres.

Nugget Administrative Site:
T. 45 N., R. 7 E.,
Sec. 27, lots 3 and 4.
The tracts described contain 71.70 acres.

Slate Creek Administrative Site:
T. 47 N., R. 4 E.,
Sec. 26, S½S½NE¼, N½NE¼SE¼.
The areas described aggregate 60 acres.

Elk Prairie Administrative Site:
T. 42 N., R. 8 E.,
Sec. 3, W½SW¼,
Sec. 4, E½SE¼.
The areas described aggregate 160 acres.

Gold Creek Administrative Site:
T. 44 N., R. 8 E.,
Sec. 23, E½SE¼SE¼,
Sec. 24, W½SW¼SW¼.
The areas described aggregate 40 acres.

Broken Leg Administrative Site:
T. 42 N., R. 9 E.,
Sec. 10, W½NW¼NE¼, NW¼SW¼NE¼, S½NE¼NW¼, N½SE¼NW¼.
The areas described aggregate 70 acres.

Red Ives Administrative Site:
T. 42 N., R. 9 E.,
Sec. 20, SW¼SE¼SE¼,
Sec. 29, W½E½NE¼.
The areas described aggregate 50 acres.

Mammoth Springs Campground:
T. 43 N., R. 7 E.,
Sec. 6, NE¼SE¼NW¼.
The tract described contains 10 acres.

Montana Creek Campground:
T. 43 N., R. 6 E.,
Sec. 27, NW¼SW¼NW¼.
The tract described contains 10 acres.

Little North Fork Campground:
T. 43 N., R. 5 E.,
Sec. 17, SE¼SE¼.
The area described aggregates 40 acres.

Hemlock Springs Campground:
T. 42 N., R. 4 E.,
Sec. 5, lots 3, 4;
Sec. 6, lots 1, 2.
The tracts described contain 167.99 acres.

Jug Camp Campground:
T. 42 N., R. 5 E.,
Sec. 3, N½SW¼, SW¼SW¼.
The areas described aggregate 120 acres.

Boehls Forks Campground:
T. 42 N., R. 5 E.,
Sec. 15, W½SW¼NW¼.
The track described contains 20 acres.

Pack Saddle Campground:
T. 45 N., R. 6 E.,
Sec. 20, S½ lot 3, S½ lot 4.
The tracts described contain 30.70 acres.

Coddington Campground:
T. 45 N., R. 6 E.,
Sec. 20, SW¼ lot 1.
The tract described contains 12.63 acres.

Tourist Creek Campground:
T. 45 N., R. 6 E.,
Sec. 14, lot 3;
Sec. 22, S½ lot 1;
Sec. 23, lot 6.

The tracts described contain 37.28 acres.

Turner Campground:
T. 45 N., R. 6 E.,
Sec. 23, lot 1 except N½N½, lot 3.

The tracts described contain 28.83 acres.

Bird Creek Campground:
T. 45 N., R. 6 E.,
Sec. 24, W½W½ lot 1, lot 3.

The tracts described contain 23.15 acres.

Tin Can Hill Campground:
T. 45 N., R. 7 E.,
Sec. 19, S½ lot 2, S½S½ lot 3.

The tracts described contain 36.74 acres.

Prospector Creek Campground:
T. 45 N., R. 7 E.,
Sec. 19, lot 4;
Sec. 20, lot 7.

The tracts described contain 41.70 acres.

Halfway Campground:
T. 45 N., R. 7 E.,
Sec. 21, lot 6, W½ lot 7;
Sec. 28, W½ lot 1, lot 4.

The tracts described contain 70.50 acres.

Bottle Creek Campground:
T. 45 N., R. 7 E.,
Sec. 20, W½SW¼NE¼, E½SE¼NW¼.

The areas described aggregate 40 acres.

Eagle Creek Campground:
T. 45 N., R. 7 E.,
Sec. 27, lot 9.

The tract described contains 12.71 acres.

Craddock Ridge Campground:
T. 45 N., R. 7 E.,
Sec. 34, SE¼ lot 1.

The tract described contains 11.50 acres.

Lintz Campground:
T. 44 N., R. 8 E.,
Sec. 14, W½SE¼NW¼.

The area described aggregates 40 acres.

Conrad Crossing Campground:
T. 44 N., R. 8 E.,
Sec. 14, SW¼SW¼NE¼, NW¼NW¼SE¼.

The tracts described contain 20 acres.

Gold Creek Campground:
T. 44 N., R. 8 E.,
Sec. 23, NE¼NE¼NE¼.

The tract described contains 10 acres.

Simmons Creek Campground:
T. 44 N., R. 8 E.,
Sec. 24, S½SE¼SW¼.

The tract described contains 20 acres.

Fly Flat Campground:
T. 44 N., R. 8 E.,
Sec. 36, W½NE¼SE¼.

The tract described contains 20 acres.

Beaver Creek Campground:
T. 43 N., R. 9 E.,
Sec. 8, SE¼NE¼SW¼.

The tract described contains 10 acres.

Spruce Tree Campground:
T. 43 N., R. 9 E.,
Sec. 29, SW¼NE¼SE¼,
SE¼NW¼SE¼,
NE¼SW¼SE¼,
NW¼SE¼SE¼.

The areas described aggregate 40 acres.

Ruby Creek Campground:
T. 42 N., R. 9 E.,
Sec. 18, NW¼NE¼SE¼.

The tract described contains 10 acres.

Bad Bear Campground:
T. 43 N., R. 8 E.,
Sec. 22, NW¼NW¼NE¼.

The tract described contains 10 acres.

Bean Creek Campground:
T. 42 N., R. 9 E.,
Sec. 12, N½NE¼NW¼.

The tract described contains 20 acres.

[Idaho 05104]

SAWTOOTH NATIONAL FOREST

Lakefork Recreation Area:
T. 12 S., R. 29 E.,
Sec. 34, S½SE¼NE¼, N½NE¼SE¼.

The tracts described contain 40 acres.

[Idaho 05303]

SALMON NATIONAL FOREST

Cunningham Bar Recreation Area (Addition)
T. 23 N., R. 14 E., unsurveyed,
Sec. 1, SW¼SW¼NE¼, S½NW¼, N½NW¼SW¼,
Sec. 2, E½SE¼NE¼, NE¼NE¼SE¼.

The tracts described contain 140 acres.

This order shall take precedence over, but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
Assistant Secretary of the Interior

SEPTEMBER 26, 1955.

[F. R. Doc. 55-7924; Filed, Sept. 30, 1955; 8:46 a. m.]

[Public Land Order 1228]

IDAHO

RESERVING LANDS WITHIN NATIONAL FORESTS FOR USE OF THE FOREST SERVICE AS ADMINISTRATIVE SITES, RECREATION AREAS, OR FOR OTHER PUBLIC PURPOSES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the national forests hereinafter designated are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as administrative sites, recreation areas, or for other public purposes:

[Idaho 05120]

BOISE PRINCIPAL MERIDIAN

CARIBOU NATIONAL FOREST

Fall Creek Administrative Site:
T. 1 N., R. 42 E.,
Sec. 33, S½S½NW¼SE¼, SW¼SE¼, SE¼SE¼.
T. 1 S., R. 42 E.,
Sec. 3, lots 2 and 6.

The areas described aggregate 173.51 acres.

Bradman Administrative Site:
T. 2 S., R. 43 E.,
Sec. 19, E½E½SW¼NE¼, W½SE¼NE¼, N½N½NE¼SE¼, NE¼NE¼NW¼SE¼.

The areas described aggregate 42.5 acres.

Current Creek Administrative Site:
T. 2 S., R. 44 E.,
Sec. 2, lot 2.

The tract described contains 39.77 acres.

Dry Valley Administrative Site:
T. 9 S., R. 44 E.,
Sec. 2, SW¼NW¼SW¼.

The area described aggregate 10 acres.

Trail Administrative Site:
T. 7 S., R. 44 E.,
Sec. 18, NE¼SE¼.

The area described aggregate 40 acres.

Caribou Basin Administrative Site:
T. 3 S., R. 44 E.,
Sec. 29, E½NW¼ND¼, W½NE¼NE¼.

The areas described aggregate 40 acres.

Lanes Creek Administrative Site:
T. 6 S., R. 44 E.,
Sec. 3, lot 2.

The tract described contains 40.03 acres.

Bald Mt. Administrative Site:
T. 3 S., R. 44 E.,
Sec. 13, E½NE¼SE¼.
T. 3 S., R. 45 E.,
Sec. 18, lot 3.

The areas described aggregate 40.64 acres.

Stump Creek Administrative Site:
T. 7 S., R. 46 E.,
Sec. 21, E½SE¼, SW¼SE¼.

The areas described aggregate 120 acres.

Tincup Administrative Site:
T. 5 S., R. 45 E.,
Sec. 17, SW¼SE¼SE¼.

The area described aggregates 10 acres.

Elbow Administrative Site:
T. 12 S., R. 45 E.,
Sec. 34, SE¼NW¼.

The area described aggregates 40 acres.

Clear Creek Administrative Site:
T. 10 S., R. 45 E.,
Sec. 20, W½SW¼NW¼.

The area described aggregates 20 acres.

Georgetown Canyon Administrative Site:
T. 10 S., R. 44 E.,
Sec. 12, W½SE¼SE¼.

The area described aggregates 20 acres.

Summit View Administrative Site:
T. 10 S., R. 44 E.,
Sec. 15, E½NW¼NE¼, W½NE¼ND¼, N½SW¼ND¼, N½SE¼NE¼.

The areas described aggregate 80 acres.

Johnson Administrative Site:
T. 8 S., R. 45 E.,
Sec. 21, NW¼NW¼SE¼, N½NE¼SW¼, SW¼NE¼SW¼, SE¼NW¼, E½SW¼NW¼, W½NE¼NW¼, E½NW¼NW¼, SW¼NW¼NW¼.

The areas described aggregate 150 acres.

Inman Administrative Site:
T. 7 S., R. 37 E.,
Sec. 6, S½NE¼SW¼, N½SE¼SW¼.

The areas described aggregate 40 acres.

Pebble Administrative Site:
T. 8 S., R. 37 E.,
Sec. 2, lots 1 and 2.
T. 7 S., R. 37 E.,
Sec. 35, E½SW¼SE¼, SE¼NW¼SE¼, S½NE¼SE¼, SE¼SE¼.

The areas described aggregate 170.15 acres.

Toponce Administrative Site:
T. 6 S., R. 38 E.,
Sec. 30, lot 4;
Sec. 31, lot 1.

The tracts described contained 85.80 acres.

Bannock Administrative Site:
T. 8 S., R. 35 E.,
Sec. 7, lot 4, SE¼SW¼,
Sec. 18, lot 1, E½NW¼, NE¼SW¼.

The areas described aggregate 230.65 acres.

Mink Creek Administrative Site:
T. 8 S., R. 35 E.,
Sec. 20, NE¼,
Sec. 21, NW¼NW¼, W½NE¼NW¼.

The areas described aggregate 220 acres.

Spring Creek Recreation Area:
T. 1 N., R. 43 E.,
Sec. 4, lots 2 and 3.

The tracts described contain 59.76 acres.

Falls Recreation Area:
T. 1 N., R. 43 E.,
Sec. 11, lots 10, 12, 13, 14, 15, 16, 17, 18.

The tracts described contain 275.51 acres.

Gravel Creek Recreation Area:
T. 5 S., R. 43 E.,
Sec. 35 E½NW¼SE¼.

The tract described contains 20 acres.

Mill Creek Recreation Area:
T. 7 S., R. 44 E.,
Sec. 18, SW¼SE¼.

The area described aggregates 40 acres.

Pine Bar Recreation Area:
T. 5 S., R. 45 E.,
Sec. 20, S½NW¼NW¼.

The tract described contains 20 acres.

Tincup Recreation Area:
T. 5 S., R. 46 E.,
Sec. 7, NW¼NE¼NE¼.

The tract described contains 10 acres.

Montpelier Canyon Winter Sports Recreation Area:
T. 12 S., R. 45 E.,
Sec. 34, SW¼NE¼, NW¼SE¼.

The areas described aggregate 80 acres.

Montpelier Canyon Recreation Area:
T. 12 S., R. 45 E.,
Sec. 31, S½NE¼SE¼, N½SE¼SE¼, SW¼SE¼SE¼, SE¼SW¼SE¼, NE¼SW¼SE¼.

The areas described aggregate 70 acres.

Home Canyon Recreation Area:
T. 12 S., R. 45 E.,
Sec. 32, W½SE¼NW¼, E½E½SW¼NW¼, SW¼NE¼NW¼.

The areas described aggregate 40 acres.

Whitman Hollow Recreation Area:
T. 12 S., R. 45 E.,
Sec. 28, SE¼SW¼SE¼, SW¼SE¼SE¼;
Sec. 33, NW¼NE¼NE¼, NE¼NW¼NE¼.

The areas described aggregate 40 acres.

Pebble Canyon Recreation Area:
T. 8 S., R. 38 E.,
Sec. 17, NE¼NE¼NW¼.

The tract described contains 10 acres.

Big Springs Recreation Area:
T. 7 S., R. 37 E.,
Sec. 35, SW¼SE¼NW¼.

The tract described contains 10 acres.

Lead Draw Ski Recreation Area:
T. 8 S., R. 35 E.,
Sec. 9, NE¼SE¼SE¼.

The tract described contains 10 acres.

Scout Mt. Recreation Area:
T. 8 S., R. 35 E.,
Sec. 21, S½NE¼SE¼, SE¼NW¼SE¼, E½SW¼SE¼, SE¼SE¼,
Sec. 22, SW¼NW¼SW¼, W½SW¼SW¼,
Sec. 27, W½SW¼, W½NE¼SW¼,
Sec. 28, E½,
Sec. 33, N½NE¼,
Sec. 34, NW¼NW¼.

The areas described aggregate 660 acres.

Cherry Springs Recreation Area:
T. 8 S., R. 35 E.,
Sec. 5, W½,
Sec. 8, NW¼.

The areas described aggregate 480 acres.

Sky Line Winter Sports Recreation Area:
T. 7 S., R. 37 E.,
Sec. 29, E½SE¼NW¼, W½SW¼NE¼.

The areas described aggregate 40 acres.

Summit Canyon Recreation Area:
T. 12 S., R. 36 E.,
Sec. 29, NW¼SE¼, E½NE¼SW¼, SW¼NE¼SW¼, NW¼SE¼SW¼, N½SW¼SW¼.

The areas described aggregate 100 acres.

Cherry Creek Recreation Area:
T. 13 S., R. 37 E.,
Sec. 9, NW¼SE¼, NE¼SW¼SE¼, W½SW¼SE¼, E½SE¼SW¼.

The areas described aggregate 90 acres.

Dry Canyon Recreation Area:
T. 16 S., R. 37 E.,
Sec. 4, SW¼SW¼, N½SE¼SW¼, SE¼NE¼SW¼,
Sec. 5, SE¼SE¼SE¼.

The areas described aggregate 80 acres.

Tincup Public Service Site:
T. 5 S., R. 46 E.,
Sec. 7, NE¼NE¼NE¼.

The tract described contains 10 acres.

[Idaho 05282]

BOISE PRINCIPAL MERIDIAN

BOISE NATIONAL FOREST

Indian Creek Landing Field Administrative Site:
T. 17 N., R. 11 E.,
Sec. 34, lots 5 and 6.

The tracts described contain 60.80 acres.

Lake Creek Patrol Station Administrative Site:
T. 16 N., R. 11 E.,
Sec. 17, lots 5 and 6.

The tracts described contain 88.81 acres.

Little Creek Patrol Station Administrative Site:
T. 16 N., R. 12 E.,
Sec. 16, lots 5 and 6.

The tracts described contain 44.47 acres.

CHALLIS NATIONAL FOREST

Arco Pass Guard Station Administrative Site:
T. 6 N., R. 27 E.,
Sec. 36, SW¼SE¼NW¼.

The tract described contains 10 acres.

Basin Creek Forest Camp:
T. 11 N., R. 14 E.,
Sec. 21, NE¼SE¼NW¼SE¼, W½SW¼NE¼SE¼, SE¼SW¼NE¼SE¼, and lot 1.

The tracts described contain 21.08 acres.

Big Creek Forest Camp:
T. 13 N., R. 24 E.,
Sec. 22, W½E½NE¼NE¼SW¼, W½NE¼NE¼SW¼, E½E½NW¼NE¼NE¼SW¼.

The tracts described contain 10 acres.

Holman Creek Forest Camp:
T. 11 N., R. 16 E.,
Sec. 25, lot 9.

The tract described contains 42.84 acres.

Iron Bog Forest Camp:
T. 4 N., R. 23 E.,
Sec. 32, N½NW¼.

The area described aggregates 80 acres.

Lola Creek Forest Camp:
T. 12 N., R. 11 E.,
Sec. 3, lot 4, N½NW¼SW¼NW¼,
Sec. 4, lot 1, NE¼NE¼SE¼NE¼.

The tracts described contain 88.28 acres.

Mormon Bend Forest Camp:
T. 11 N., R. 14 E.,
Sec. 20, S½ lot 1, lot 7, and S½ lot 8.

The tracts described contain 57.66 acres.

Riverside Forest Camp:
T. 11 N., R. 14 E.,
Sec. 20, lots 2 and 4.

The tracts described contain 56.07 acres.

Snyder Springs Forest Camp:
T. 11 N., R. 16 E.,
Sec. 30, lots 3 and 8.

The tracts described contain 48.57 acres.

Stanley Lake Forest Camp:
T. 11 N., R. 12 E.,
Sec. 27, lots 1 and 2;
Sec. 28, lots 1 and 2;
Sec. 33, lots 1, 2, 3, and 4;
Sec. 34, lots 1 and 2.

The tracts described contain 293.70 acres.

This order shall be subject to existing withdrawals for other than national forest purposes so far as they affect any of the above-described lands, and shall take precedence over, but not otherwise affect, the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
Assistant Secretary of the Interior

SEPTEMBER 26, 1955.

[F. R. Doc. 55-7925; Filed, Sept. 30, 1955; 8:46 a. m.]

[Public Land Order 1229]

ARIZONA

RESERVING LANDS WITHIN NATIONAL FORESTS FOR USE OF THE FOREST SERVICE AS CAMP GROUNDS, RECREATION AREAS, OR FOR OTHER PUBLIC PURPOSES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the national forests hereinafter designated are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as camp grounds, recreation areas, or for other public purposes as indicated:

[Arizona 05427]

GILA AND SALT RIVER MERIDIAN

TONTO NATIONAL FOREST

Jones Water Forest Camp:
T. 3 N., R. 16 E., unsurveyed
Sec. 23, SW¼NE¼NE¼, S½NW¼NE¼, W½SW¼NE¼, NE¼SW¼NE¼, S½SE¼NW¼, N½NE¼SW¼, except that portion (6.80 acres) already withdrawn by the act of May 29, 1924.

The areas described aggregate 93.20 acres.

Oak Flat Picnic and Camp Ground:
T. 1 S., R. 13 E.,
Sec. 28, S½S½,
Sec. 29, SE¼SE¼,
Sec. 32, E½NE¼,
Sec. 33, N½, N½S½.

The areas described aggregate 760 acres.

Pioneer Pass Picnic Grounds:
T. 2 S., R. 15 E.,
Sec. 3, W½W½SE¼SE¼, E½SW¼SE¼,
Sec. 10, W½W½NE¼NE¼, E½NW¼NE¼, SW¼NW¼NE¼, SW¼NE¼.

The areas described aggregate 110 acres.

Federal Highway 9-K, Roadside Zone: A strip of land 200 feet on each side of center line of Federal Highway 9-K through the following legal subdivisions:

T. 9 N., R. 10 E.,
Sec. 3, NW¼,
Sec. 4, N½,
Sec. 5, E½,
Sec. 8, N½, SW¼.
T. 10 N., R. 10 E.,
Sec. 28, S½, NE¼,
Sec. 33, NW¼, S½,
Sec. 34, SW¼.

COCONINO NATIONAL FOREST

Red Rock Crossing Recreation Area:
T. 17 N., R. 5 E.,
Sec. 26, S½SW¼, SE¼SW¼NW¼SW¼, SE¼NW¼SW¼, S½NE¼SW¼, NE¼NE¼SW¼, N½NW¼NE¼SW¼.

The areas described aggregated 127.5 acres.

[Arizona 08550]

COCONINO NATIONAL FOREST

Bakers Butte Lookout Site:
T. 12 N., R. 9 E.,
Sec. 2, S½SW¼NW¼SW¼, SW¼SE¼NW¼SW¼, NW¼SW¼SW¼, W½NE¼SW¼SW¼, N½SW¼SW¼SW¼, NW¼SE¼SW¼SW¼, unsurveyed.
Sec. 3, SE¼SE¼NE¼SE¼, E½NE¼SE¼SE¼, NE¼SE¼SE¼SE¼.

The areas described aggregate 40 acres.

Buck Mountain Lookout Site:
T. 15 N., R. 9 E.,
Sec. 20, S½NW¼SE¼SE¼, SW¼NE¼SE¼SE¼, SW¼SE¼SE¼, W½SE¼SE¼SE¼, SE¼NE¼SW¼SE¼, E½SE¼SW¼SE¼,
Sec. 29, NE¼NE¼NW¼NE¼, N½NW¼NE¼NE¼, NW¼NE¼NE¼NE¼.

The areas described aggregate 40 acres.

Hutch Mountain Lookout Site:
T. 16 N., R. 9 E.,
Sec. 3, E½NW¼SW¼, E½W½NW¼SW¼, W½W½NE¼SW¼.

The areas described aggregate 40 acres.

Lee Butte Lookout Site:
T. 17 N., R. 8 E.,
Sec. 22, SE¼SW¼.

The area described aggregates 40 acres.

Mormon Lake Lookout Site:
T. 17 N., R. 9 E.,
Sec. 3, SE¼SE¼ Lot 3, S½SW¼ Lot 2, SW¼SE¼ Lot 2, NW¼SW¼NE¼, W½NE¼SW¼NE¼, N½SW¼SW¼NE¼, NW¼SE¼SW¼NE¼, E½NE¼SE¼NW¼, NE¼SE¼SE¼NW¼.

The areas described aggregate 40.05 acres.

East Pocket Knob Lookout Site:
T. 18 N., R. 6 E.,
Sec. 6, E½E½SW¼NE¼, W½SE¼NE¼, W½E½SE¼NE¼.

The areas described aggregate 40 acres.

Turkey Butte Lookout Site:
T. 19 N., R. 5 E.,
Sec. 18, NW¼NE¼.

The area described aggregates 40 acres.

Woody Mountain Lookout Site:
T. 20 N., R. 6 E.,
Sec. 3, SE¼NE¼NW¼SW¼, E½SE¼NW¼SW¼, S½NW¼NE¼SW¼, SW¼NE¼NE¼SW¼, SW¼NE¼SW¼, W½SE¼NE¼SW¼, NE¼NE¼SW¼SW¼, N½NW¼SE¼SW¼, NW¼NE¼SE¼SW¼.

The areas described aggregate 40 acres.

Mt. Elden Lookout Site:
T. 22 N., R. 7 E.,
Sec. 36, SE¼SE¼.

The area described aggregates 40 acres.

Saddle Mountain Lookout Site:
T. 24 N., R. 6 E.,
Sec. 26, SE¼NW¼NW¼, SW¼NE¼NW¼, NE¼SW¼NW¼, NW¼SE¼NW¼.

The areas described aggregate 40 acres.

Deadman Lookout Site:
T. 24 N., R. 7 E.,
Sec. 26, S½N½SW¼NE¼, S½SW¼NE¼, N½N½NW¼SE¼.

The areas described aggregate 40 acres.

T-6 Spring Recreation Area:
T. 18 N., R. 7 E.,
Sec. 25, S½SE¼, NE¼SE¼.

The areas described aggregate 120 acres.

O'Leary Peak Lookout Site:
T. 23 N., R. 8 E.,
Sec. 3, SE¼SE¼.

The area described aggregates 40 acres.

Lava River Cave Campground:
T. 23 N., R. 5 E.,
Sec. 26, E½SE¼SW¼, W½SW¼SE¼.

The areas described aggregate 40 acres.

Dairy Spring Campground:
T. 18 N., R. 8 E.,
Sec. 12, SE¼SE¼NE¼, NE¼NE¼SE¼.
T. 18 N., R. 9 E.,
Sec. 7, SW¼ of Lot 2, NW¼ of Lot 3.

The areas described aggregate 39.97 acres.

Double Springs Campground:
T. 18 N., R. 8 E.,
Sec. 13, SE¼SE¼NE¼, NE¼NE¼SE¼.
T. 18 N., R. 9 E.,
Sec. 18, NW¼NW¼SW¼.

The areas described aggregate 29.63 acres.

Kehl Spring Campground:
T. 12 N., R. 10 E.,
Sec. 8, SW¼SW¼SE¼, SE¼SE¼SW¼;
Sec. 17, NE¼NE¼NW¼, NW¼NW¼NE¼.

The areas described aggregate 40 acres.

Knob Hill Administrative Site:
T. 21 N., R. 7 E.,
Sec. 15, N½SE¼SE¼NW¼NW¼, NE¼SE¼NW¼NW¼, N½NE¼, NE¼NW¼.

The areas described aggregate 123.75 acres.

General Spring Guard Station:
T. 12 N., R. 10 E.,
Sec. 1, Lots 1 and 2, SE¼NW¼, SW¼NE¼.

The areas described aggregate 162.44 acres.

This order shall take precedence over, but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
Assistant Secretary of the Interior.

September 27, 1955.

[F. R. Doc. 55-7326; Filed, Sept. 30, 1955; 8:46 a. m.]

[Public Land Order 1230]

NEW MEXICO

RESERVING LANDS WITHIN APACHE NATIONAL FOREST FOR USE OF FOREST SERVICE AS ADMINISTRATIVE SITES, CAMP SITES, LOOKOUTS, AND ROADSIDE ZONES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following-described public lands within the Apache National Forest in New Mexico are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as administrative sites, camp sites, lookouts, and roadside zones:

NEW MEXICO PRINCIPAL MERIDIAN

Bob Cat Administrative Site:
T. 7 S., R. 21 W., unsurveyed,
Sec. 7, E½NW¼NE¼.

The area described contains 20 acres.

Escudillo Ranger Station Administrative Site:
T. 4 S., R. 21 W.,
Sec. 26, W½NW¼, NW¼SW¼.

The area described contains 120 acres.

Hinkle Park Administrative Site:
T. 8 S., R. 21 W., unsurveyed,
Sec. 5, S½SW¼SE¼,
Sec. 8, N½NE¼NW¼.

The area described contains 40 acres.

Cottonwood Canyon Forest Camp:
T. 8 S., R. 20 W.,
Sec. 10, SE¼SW¼.

The area described contains 40 acres.

Jewett Ranger Station Administrative Site:
T. 4 S., R. 17 W.,
Sec. 8, E½.

The area described contains 320 acres.

Luna Ranger Station Administrative Site:
T. 5 S., R. 20 W.,
Sec. 32, N½NE¼.

The area described contains 80 acres.

Mangas Ranger Station Administrative Site:
T. 2 S., R. 15 W.,
Sec. 36, W½NE¼, NW¼, N½SW¼, NW¼SE¼.

The area described contains 360 acres.

Pueblo Park Forest Camp:
T. 8 S., R. 21 W., unsurveyed,
Sec. 24, E½SW¼.

The area described contains 80 acres.

Reserve Ranger Station Administrative Site:
T. 7 S., R. 19 W.,
Sec. 2, lots 15, 16, 17, 18.

The area described contains 146.94 acres.

Tularosa Administrative Camp Site:
T. 5 S., R. 17 W.,
Sec. 32, NE¼SE¼,
Sec. 33, SW¼NW¼; NW¼SW¼.

The area described contains 120 acres.

Tularosa Ranger Station Administrative Site:
T. 6 S., R. 18 W.,
Sec. 12, lot 4.

The area described contains 36.93 acres.

Cat Springs Lookout:
T. 3 S., R. 15 W.,
Sec. 16, S½S½SE¼,
Sec. 21, N½N½NE¼.

The area described contains 80 acres.

Eagle Peak Lookout:
T. 7 S., R. 17 W., unsurveyed,
Sec. 22, SW¼NE¼SE¼, NW¼SE¼SE¼, NE¼SW¼SE¼, SE¼NW¼SE¼.

The area described contains 40 acres.

El Caso Lookout:
T. 2 S., R. 16 W.,
Sec. 27, NW¼SE¼, SE¼SE¼.

The area described contains 80 acres.

Fox Mountain Lookout:
T. 3 S., R. 18 W.,
Sec. 3, SW¼NE¼, E½SE¼NW¼, NW¼SE¼.

The area described contains 100 acres.

John Kerr Lookout:
T. 6 S., R. 16 W., unsurveyed,
Sec. 10, S½SW¼NE¼, NW¼SE¼, NE¼SE¼.

The area described contains 100 acres,

Mangas Mountain Lookout:
T. 3 S., R. 14 W.,
Sec. 16, NE¼NW¼.

The area described contains 40 acres.

Saddle Mountain Lookout:
T. 8 S., R. 21 W., unsurveyed,
Sec. 15, W½NW¼,
Sec. 16, E½NE¼.

The area described contains 160 acres.

New Mexico State Highway No. 32 Roadside Zone:
A strip of land 200 feet on each side of the center line of New Mexico State Highway No. 32 where it traverses Forest land through the following legal subdivisions:
T. 1 S., R. 17 W.,
Secs. 16, 21, 28, 33.
T. 2 S., R. 17 W.,
Secs. 3, 4, 10, 15, 22, 27, 28, 33.
T. 3 S., R. 18 W.,
Secs. 13, 24, 25, 36.
T. 4 S., R. 17 W.,
Secs. 30, 31.
T. 4 S., R. 18 W.,
Secs. 1, 12, 13, 24.
T. 5 S., R. 17 W.,
Secs. 5, 8, 17, 20, 21, 28.

New Mexico State Highway No. 12 Roadside Zone:
A strip of land 200 feet from the center line on each side of New Mexico State Highway No. 12 where it traverses Forest land through the following legal subdivisions:
T. 4 S., R. 15 W.,
Secs. 27, 28, 29, 30, 31, 32.
T. 4 S., R. 16 W.,
Secs. 25, 33, 34, 35, 36.
T. 5 S., R. 17 W.,
Secs. 3, 4, 7, 8, 9.
T. 5 S., R. 16 W.,
Secs. 13, 14, 15, 21, 22, 28, 31, 32, 33.
T. 6 S., R. 18 W.,
Secs. 1, 2, 10, 11, 15, 16, 20, 21, 29, 30, 31.
T. 6 S., R. 19 W.,
Sec. 36.
T. 7 S., R. 18 W.,
Sec. 6.
T. 7 S., R. 19 W.,
Secs. 1, 2, 3, 4, 8, 9, 11, 12, 17, 18.
T. 7 S., R. 20 W.,
Sec. 13.

U. S. Highway No. 260 Roadside Zone:
A strip of land 200 feet from the center line on each side of U. S. Highway No. 260 where it traverses Forest land through the following legal subdivisions:
T. 5 S., R. 21 W.,
Secs. 34, 35, 36.
T. 6 S., R. 20 W.,
Secs. 6, 7, 18, 30, 31, 32.
T. 6 S., R. 21 W.,
Secs. 1, 2, 3, 4, 5, 6, 13, 24, 25.
T. 7 S., R. 20 W.,
Secs. 5, 6, 8, 9, 10, 11, 13, 14, 24, 25, 26, 34, 35.
T. 8 S., R. 20 W.,
Secs. 3, 10, 15, 21, 22, 28, 32, 33.
T. 9 S., R. 20 W.,
Secs. 5, 6, 7, 17, 18, 20, 29, 31, 32.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
Assistant Secretary of the Interior

SEPTEMBER 27, 1955.

[F. R. Doc. 55-7927; Filed, Sept. 30, 1955; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[14 CFR Parts 40, 41, 42]

OPERATIONAL USE OF WEATHER REPORTS FOR INSTRUMENT APPROACH, LANDING, OR TAKEOFF

NOTICE OF PROPOSED RULE MAKING

The air carrier operating rules of the Civil Air Regulations provide in part that no instrument approach, landing, or takeoff shall be made when the latest weather report furnished by the U. S. Weather Bureau or a source approved by the Weather Bureau indicates a ceiling or visibility below authorized minimums. Current CAA rules (§§ 40.406–1, 41.119–2, and 42.56–2) apply this requirement to a runway weather observation contained in the official weather report for a particular runway.

At airports where runway weather observations are made, when reporting runway visibility to a pilot conducting an instrument approach, the tower controller obtains the runway visibility from a direct reading visibility meter in the tower. This meter is electronically geared to an instrument in the Weather Bureau for graphically recording the runway visibility value measured by the transmissometer instrument. A repeater visibility meter for indicating runway visibility in fractional increments is also located in the Weather Bureau office. Since minimums for instrument approach according to the regulations are predicated on the latest weather report, the tower controller cannot report immediately to a pilot any substantial visibility change observed on the tower visibility meter without coordination with the Weather Bureau, which must issue a special observation report for each such change in visibility value observed. Particularly under variable visibility conditions, this prevents maximum utilization of the instrumentation used for measuring runway visibility. It also places an additional burden on the controller, which is undesirable under instrument weather conditions because his full attention should be directed to the control of air traffic. Also due to the various duties of the Weather Bureau observer, he may be preoccupied in performing some other function. For this reason the control tower operator is in a far better position to continually observe any change in visibility value indicated on the visibility meter and should be able to report such change in visibility to the pilot conducting an instrument approach as the official runway visibility without recording the observation or advising the Weather Bureau. In case any question should later arise as to the official runway visibility at any particular time, this information can be obtained from the Weather Bureau where it is continually recorded on graph recording. However, such visibility data may not be contained in the sequence weather report because of the time interval between the hourly and special observations made and recorded by the weather observer.

In view of the foregoing, the Administrator proposes the following revisions to §§ 40.406–1, 41.119–2, and 42.56–2 of this subchapter. All interested persons who desire to submit comments and suggestions for consideration in connection with the proposed rules shall send them to Director, Office of Aviation Safety, Civil Aeronautics Administration, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER.

1. Section 40.406–1 is revised to read as follows:

§ 40.406–1 *Takeoff and landing weather minimums (CAA rules which apply to § 40.406 (b))*—(a) *General.* The ceiling and visibility contained in the main body of the latest weather report furnished by the U. S. Weather Bu-

reau or a source approved by the Weather Bureau shall be used for instrument approach and landing or takeoff for all runways of an airport except as provided in paragraph (b) of this section.

(b) *Runway visibility.* Whenever the latest weather report furnished by the U. S. Weather Bureau or a source approved by the Weather Bureau, including an aural report from the control tower, contains a visibility value specified as runway visibility for a particular runway of an airport, such visibility shall be used for a straight-in instrument approach and landing or takeoff for that runway only.[1]

2. Section 41.119–2 as published on March 20, 1954, in 19 F R. 1536, is revised to read as follows:

§ 41.119–2 *Takeoff and landing weather minimums (CAA rules which apply to § 41.119).* (The rules which apply to this section are the same as those stated in § 40.406–1 of this subchapter.)

3. Section 42.56–2 as published on March 20, 1954, in 19 F. R. 1536, is revised to read as follows:

§ 42.56–2 *Takeoff and landing weather minimums (CAA rules which apply to § 42.56).* (The rules which apply to this section are the same as those stated in § 40.406–1 of this subchapter.)

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] F B. LEE.
Administrator of Civil Aeronautics.

[F. R. Doc. 55–7322; Filed, Sept. 30, 1955; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

SUBMARINE BASE AND AIR FACILITY

PERMIT

This permit, effective the first day of July 1954, executed by the United States, acting in this behalf by the Secretary of the Interior, hereinafter referred to as the "Secretary" to the Virgin Islands Corporation, a Federal instrumentality created by the act of June 30, 1949 (63 Stat. 350, 48 U. S. C., 1952 ed., sec. 1407 et seq.) hereinafter referred to as the "Permittee".

Witnesseth: Whereas the installations formerly known as the Marine Corps Air Facility and the Naval Submarine Base at St. Thomas, Virgin Islands, were transferred by the Navy Department to the Interior Department for operation and maintenance under a revocable permit dated January 1, 1948, subject to the terms and conditions set forth therein; and

Whereas by amendments dated February 4, 1949, and October 27, 1949, certain areas were withdrawn by the Navy Department from the jurisdiction of the Interior Department; and

Whereas by a lease agreement entered into on March 25, 1950, the Secretary leased to the Municipality of St. Thomas and St. John all of the installations known as the Marine Corps Air Facility and the Naval Submarine Base except for the areas withdrawn by the aforesaid amendments and except for certain areas made available by the Interior Department to the Civil Aeronautical Administration; and

Whereas by letter dated September 5, 1950, the Department of the Navy revoked the aforesaid amendments and restored the said areas to the jurisdiction of the Department of the Interior; and

Whereas by a supplement to the lease agreement of March 25, 1950, the Secretary leased to the Municipality of St. Thomas and St. John the areas thus restored to the jurisdiction of the Interior Department; and

Whereas by letter of June 23, 1954, the Secretary terminated the Lease Agreement of March 25, 1950, as supplemented, pursuant to paragraph 4 of the Supplement to the Lease Agreement, such termination to be effective July 1, 1954; and

Whereas it is the intention of the Secretary that the property be used to the greatest extent possible for the benefit of the people of the Virgin Islands:

Now therefore, The Secretary hereby grants to the Permittee a permit to use, occupy, and operate the installations formerly known as the Marine Corps Air Facility and the Naval Submarine Base at St. Thomas, described more fully on Navy Public Works Drawings 10–34 and 10–35 (except for (a) those areas made available by the Interior Department to the Civil Aeronautics Administration under permit and memorandum of agreement dated August 24, 1948, as supplemented on October 17, 1952, and (b) the power plant and related facilities made available to the Permittee under a permit of even date herewith and more fully described therein)

This permit is granted subject to the following terms and conditions:

1. The Permittee agrees to pay as rental for the said property the sum of $1.00 per year, payable in advance.

2. The Permittee shall use the said property to the greatest extent possible for the benefit of the people of the Virgin Islands.

3. The Permittee shall maintain the property in as good condition as when received and shall effect such repairs and replacements as are necessary to that end. In addition, the Permittee shall, in accordance with good management practices, endeavor to restore the property as rapidly as possible to its condition on January 1, 1948: *Provided,* That in so restoring the property, the Permittee shall expend no more than the amount received in revenues from the operation of the property, less reasonable costs of administration, unless it obtains the prior approval of the Secretary in writing.

4. The Permittee shall submit to the Secretary quarterly reports showing revenue received and expenditures made, by general categories, in connection with the operation of the property. Such reports shall contain the information listed in Exhibit A which is attached hereto and made a part hereof.

5. This permit shall continue in effect for a period coextensive with that of the revocable permit between the Navy and Interior Departments unless sooner terminated in accordance with this paragraph: *Provided,* That the Secretary may, in his discretion, modify or terminate this permit at any time: *Provided, further,* That the Permittee may, if it finds itself unable to perform any part of this permit, terminate this permit, in whole or in part, upon 60 days notice to the Secretary in writing.

6. Upon the expiration or termination of this permit, the Permittee shall return to the Secretary in as good condition as when received, reasonable wear and use, and Act of God excepted, all of the above described property, together with all replacements thereof and additions thereto, and the Secretary shall thereupon have the right immediately to reenter and take possession of the property, subject to the right of the Permittee to remove its property from the premises within a reasonable time thereafter.

7. It is expressly agreed that the Permittee may lease or license to public or private agencies or organizations, or to individuals, the properties covered by this permit: *Provided,* That except for such leases and licenses as may have been approved by the Secretary between July 1, 1954 and June 1, 1955, all such leases and licenses shall comply with the following terms and conditions:

(a) General considerations for leases. (i) Classes: Leases may be of three classes: Commercial, housing, and government.

Commercial leases may be made covering buildings, facilities, and land, or any combination thereof, for industrial and/or other income producing purposes under the direct control and management of the lessee. Leases for buildings used for multi-dwelling units (apartments) shall be classed as commercial.

Housing leases shall be limited to existing detached or semi-detached resi-

[1] Information respecting the official runway visibility observations reported by the control tower operator may be obtained from the Office of the U. S. Weather Bureau for the airport concerned. Such office maintains a continuous graph recording of the runway visibility shown on the visibility meter in the control tower.

dential units (or structures easily adaptable to such purposes) for personal occupancy by the lessee and his immediate family.

Government leases may be made with the Government of the Virgin Islands, the Government of the United States, or any of their subdivisions, covering buildings, facilities, and land, or any combination thereof, for any lawful governmental purpose.

(ii) Land: Commercial, housing, and government leases may include land area, but should be limited to the minimum area necessary for the conduct of the activities contemplated or for the full enjoyment and protection of the leased premises.

In general, unimproved lands should not be leased. However, small areas may be the subject of (and limited to) commercial and government leases where a positive showing is made, in the case of commercial leasing, that the lessee (a) will promptly develop and improve the land in such a manner and to such an extent as will contribute materially to the economy of the Island of St. Thomas, (b) will make a substantial investment in such improvements, and (c) will agree that upon termination of the lease all improvements will vest in the lessor, and, in the case of government leasing, that the property is required in connection with a lawful and necessary governmental function.

(iii) Leases may be made with individuals, corporations, partnerships, or other lawful business entities.

(iv) Lessee. Commercial leases shall be made only after the lessee has shown to the satisfaction of the Virgin Islands Corporation that he (a) has a satisfactory personal and business reputation (b) has the necessary qualifications and experience to operate the particular business in an efficient and businesslike manner, (c) has sufficient financial strength and backing to carry on the contemplated commercial venture, to make needed improvements, and to contribute materially to the economy of the Island of St. Thomas, and (d) intends himself to operate the leased premises during the entire term of the lease.

No lease shall be made with any employee of the Virgin Islands Corporation, the Government of the Virgin Islands, the Government of the United States, or any of their subdivisions, except that this restriction shall not apply to the leasing to such an employee of a single residential unit for his personal occupancy. However, such leases shall, at the option of the Lessor, be cancellable at any time after thirty (30) days of the date of termination of employment with the governmental agency involved.

(b) *Lease terms.* All leases shall contain the following terms and provisions, as well as any others that may be necessary to protect the rights of the United States:

(i) *Secretarial approval.* All commercial and government leases shall be subject to the approval of the Secretary of the Interior.

(ii) *Form.* All leases shall be in writing except for leases for housing or residential units renting for less than $75.00 per month.

(iii) *Tenure.* Commercial leases for existing structures or facilities shall not exceed 20 years, except that in special cases, in the discretion of Virgin Islands Corporation, an option to renew for one additional 10 year period may be granted. Commercial leases for industrial uses shall not exceed five (5) years. Leases of unimproved land shall not exceed thirty (30) years, except that in special cases an option to renew for one additional ten (10) year period may be granted.

Housing leases may be made on a month to month, or yearly basis, but no such lease shall be longer than three (3) years.

The term of all government leases shall be for a period not in excess of one year beyond the period during which the facilities are under the control of the Virgin Islands Corporation.

(iv) *Rent.* Rent under all types of leases shall be comparable to rent charged for similar buildings and facilities available on the Island of St. Thomas.

Commercial and government leases shall provide that rents shall be subject to renegotiation every ten (10) years.

Bureau of the Budget Circular A-45, dated June 3, 1952, as promulgated by the Departmental Manual of Allowances for Quarters, Subsistence, and Services, issued August 7, 1952, as amended, shall govern the determination of rents for all properties occupied by employees of the Federal Government and any of its subdivisions.

Commercial and government leases shall provide that rents shall be payable no less frequently than quarter annually in advance. Housing rents shall be payable monthly in advance.

(v) *Assignment.* Any assignment of a lease must be approved in writing by the Secretary of the Interior. The proposed assignee must make the same showing as to personal and business reputation and financial resources as is required of original lessees.

Upon a lessee failing in business, filing a petition in voluntary bankruptcy, making an assignment for benefit of creditors, etc., the lease shall then and there be terminated and the premises shall immediately revert to the lessor.

Subletting shall be forbidden unless the prior written consent of the Virgin Islands Corporation is obtained.

(vi) *Discrimination.* Provision against discrimination in use and in employment based on race, creed or color shall be included.

(vii) *Maintenance.* Commercial and government lessees must maintain the buildings and facilities and property in accordance with the standards set by the Department of the Navy in its annual inspections and in accordance with any requirements established by the Virgin Islands Corporation.

(viii) *Insurance.* Each commercial and government lessee shall maintain fire and extended coverage insurance to the fair and reasonable value of the leased property.

(ix) *Navy Permit.* Each lease shall contain a provision providing for the automatic termination of such lease in the event the Department of the Navy exercises its right to revoke, in whole or in part, the revocable permit of January 1, 1948, pursuant to the following paragraph of the said permit:

This Permit shall be for an indefinite term but shall be subject at any time hereafter to the right of the Navy Department, or higher military authority, to revoke this instrument in whole or in part, or as a temporary or a permanent measure, but it is the intention of the Navy Department that the right of revocation shall be exercised only in the event of military necessity or by reason of a National Emergency.

(x) *United States a party.* Each lease shall be entered into in the name of the United States, acting by and through the Virgin Islands Corporation.

8. No assignment or transfer of this permit or any part thereof shall be valid without the prior consent of the Secretary in writing. In the event of any such assignment or transfer, the Secretary shall have the right to terminate this permit immediately and without notice. In the event the property covered by this agreement reverts for any reason to the Secretary, the Secretary shall respect and be bound by the terms of any lawful outstanding leases or licenses theretofore entered into by the Permittee or its authorized agency.

9. This agreement shall be subject to the terms and conditions of the above-mentioned revocable permit issued to the Interior Department by the Navy Department.

10. No member of or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this agreement or any benefit which may arise therefrom unless it be made with a corporation for its general benefit.

11. Wherever the word "Secretary" is used in this agreement, it shall also mean his authorized representative, and whenever the terms "lease" or "lessee" are used, they shall be construed to include the terms "permit" "licensee", "permittee", or "licensee", as the case may be.

In witness whereof, I have hereunto set my hand as of the day, month, and year cited above.

THE UNITED STATES,
DOUGLAS MCKAY,
Secretary of the Interior

AUGUST 29, 1955.

EXHIBIT A

The report required of the Permittee by paragraph 4 shall contain the following information:

Narrative Statement

1. Short resume of operations.
2. Maintenance completed.
3. New developments.
4. Difficult or unique problems of general interest.
5. Other.

Listing of Rentors and Lessees

1. Delinquents.
   a. Name.
   b. Building, land or water bill (Identify).
   c. Amount of delinquency.
   d. Date due.
2. Cancellation of rental agreements.
   a. Name.
   b. House number.
   c. Date.

3. New Rental agreements.
   a. Name.
   b. House number.
   c. Rental rate.
   d. Date.

Personnel

Appointed.
Per diem.

Statement of Income and Expense

Income:
1. Rentals.
   a. Housing.
   b. Commercial leases.
   c. Other.
2. Fees.
   a. Airplane landings.
   b. Dock.
   c. Parking.
   d. Beach.
   e. Storage.
   f. Water sales.

Expense:
Salaries and wages.
Materials and supplies.
Transportation.
Office expense.

Overhead

Net profit or loss.

[F. R. Doc. 55-7928; Filed, Sept. 30, 1955; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 7186; Order E-9596]

LAKE CENTRAL AIRLINES, INC.

STATEMENT OF TENTATIVE FINDINGS AND CONCLUSIONS AND ORDER TO SHOW CAUSE[1]

Lake Central Airlines, Inc. (Lake Central) on May 27, 1955, filed an application pursuant to section 401 (e) (3) of the Civil Aeronautics Act of 1938, as amended (the Act) requesting the Board to issue Lake Central a certificate of public convenience and necessity of unlimited duration for route No. 88 authorizing air transportation of persons, property and mail between certain named points.

Section 401 (e) (3) of the Act (effective May 19, 1955) provides: "If any applicant who makes application for a certificate within one hundred and twenty days after the date of enactment of this paragraph shall show that, from January 1, 1953, to the date of its application, it or its predecessor in interest, was an air carrier furnishing, within the continental limits of the United States, local or feeder service consisting of the carriage of persons, property, and mail, under a temporary certificate of public convenience and necessity issued by the Civil Aeronautics Board, continuously operating as such (except as to interruptions of service over which the applicant or its predecessors in interest have no control) the Board, upon proof of such fact only, shall, unless the service rendered by such applicant during the period since its last certification has been inadequate and inefficient, issue a certificate or certificates of unlimited duration, authorizing such applicant to engage in air transportation between the terminal and intermediate points within the continental limits of the United States between which it, or its predecessor, so continuously operated between the date of enactment of this paragraph and the date of its application: *Provided*, That the Board in issuing the certificate is empowered to limit the duration of the certificate as to not over one-half of the intermediate points named therein, which points it finds have generated insufficient traffic to warrant a finding that the public convenience and necessity requires permanent certification at such time."

Lake Central alleges in its application that it is a citizen of the United States of America as defined by section 1 (13) of the Act. Proof of this fact has been submitted by Lake Central in other certification proceedings and no information to the contrary has since come to the knowledge of the Board.

Lake Central further alleges in its application that it has continuously operated as an air carrier furnishing local or feeder air transportation of persons, property and mail within the continental limits of the United States during the period January 1, 1953, to the date of its application under a temporary certificate of public convenience and necessity for route No. 88 issued by the Board, except as to interruptions of service over which it had no control. The various schedules and reports required to be filed with the Board by local service carriers indicate that Lake Central has so continuously operated since January 1, 1953.

Section 401 (e) (3) of the Act requires in effect that the Board find as a prerequisite to the granting of a certificate of unlimited duration to Lake Central that the service rendered by Lake Central during the period since its last certification has not been inadequate or inefficient. The Board during the said period has received no complaints from the public relating to the overall service provided by this carrier. The Board is possessed of no information from which it could find that, considered as a whole, the service provided by this carrier during the period from December 30, 1952, the date of Lake Central's last certificate for route No. 88, to the present has been inadequate or inefficient within the meaning of section 401 (e) (3) of the Act.

Lake Central further alleges in its application that it has from the date of the enactment of section 401 (e) (3) (May 19, 1955) to the date of its application, continuously served the following terminal and intermediate points:

Grand Rapids, Mich.	Columbus, Ohio.
Kalamazoo, Mich.	Marion, Ohio.
South Bend, Ind.	Mansfield, Ohio.
Kokomo-Logansport-Peru, Ind.	Lima, Ohio.
Indianapolis, Ind.	Cleveland, Ohio.
Chicago, Ill.	Zanesville, Ohio.
Gary, Ind.	Dover-New Philadelphia, Ohio.
Lafayette, Ind.	Pittsburgh, Pa.
Marion, Ind.	Youngstown, Ohio.
Richmond, Ind.	Bloomington, Ind.
Cincinnati, Ohio.	Terre Haute, Ind.
Dayton, Ohio.	Danville, Ill.
Springfield, Ohio.	

Section 401 (e) (3) provides in effect that all terminal points served by the local service carrier applicant during the period from May 19, 1955 to May 27, 1955 shall be certificated for a period of unlimited duration. The certificate we propose to issue to Lake Central (which is attached as Appendix A) accomplishes this.

Section 401 (e) (3) empowers the Board to limit the duration of the certificate as to not over one-half of the intermediate points named therein, which points the Board finds have generated insufficient traffic to warrant a finding that the public convenience and necessity require permanent certification. The Board has proposed an industry-wide traffic standard upon which to base a tentative conclusion as to whether a particular intermediate point should be permanently or temporarily certificated. A standard which can be applied on an industry-wide basis will assure that all the intermediate cities are equitably treated. The Board has concluded, on the basis of an analysis of the latest available traffic data, that an average of five or more passengers enplaned per day provides a reasonable basis for selection of those intermediate points to be permanently certificated at this time.

As indicated above, the recent amendment of the Act provides for the certification for an unlimited duration of all terminal points and of at least one-half of the intermediate points named in the certificate. This means that in the future the applicant carrier will be providing services over permanently certificated segments. During the years of local service carrier experience, the Board, in consideration of the subsidized nature of the operation, has found that on-line intermediate points generating in the neighborhood of 300 passengers on and off monthly have borne a reasonable share of the expense incurred by the carrier in providing service to the intermediate point on existing flights. In the past, the Board has also found that local service carrier points generating in the neighborhood of five or more enplaned passengers per day have warranted recertification. This leads us to conclude that in the absence of a further showing, the five passenger per day standard is a reasonable one for selecting those intermediate points to be permanently certificated.

The proposed certificate which is attached as Appendix A grants Lake Central permanent authority at those intermediate stations shown in Appendixes C, D, and E to have met this five-passenger per day standard and temporary authority at all other intermediate stations served by Lake Central during the period May 19, 1955 to May 27, 1955. Appendixes C and D set forth in tabular form, the average number of daily passengers enplaned at each Lake Central intermediate point for the calendar year 1954 and for the twelve month periods ending March 31, 1955 and June 30, 1955. The average number of passengers enplaned at intermediate points generating less than five passengers per day is set forth in Appendix E on a quarterly basis for the years 1952, 1953, 1954 and for the twelve month periods ending March 31, 1955 and June 30, 1955.

[1] This statement does not necessarily represent the views of all Members of the Board with respect to all issues.

The Board believes that except for cities presenting special considerations warranting permanent certification, those intermediate points which have generated less than five enplaned passengers per day should be certificated for a temporary period of three years. Certification for this period will enable the Board to assess the future traffic development at these points and to consider at a later time whether or not they should be made permanent. These cities will be afforded an opportunity before the expiration of the temporary period to demonstrate their ability to generate a sufficient volume of traffic to warrant permanent certification or continuation of service for a further temporary period.

It is also the Board's tentative conclusion that under the provisions of section 401 (e) (3) of the Act a point named in the certificate of public convenience and necessity issued to Lake Central, but which point has never been served by Lake Central, is not eligible for inclusion as a point in any certificate that may be issued to Lake Central pursuant to said section of the Act.

As hereinafter set forth in this order, the Board is making a finding consistent with the above tentative conclusion as to the point Muncie, Indiana.

The Board further tentatively concludes that where since the last certificate issued to this carrier (1) the Board has authorized Lake Central, by exemption, to provide service to additional points, or (2) the Board has authorized Lake Central, by exemption, to provide service between points named in such certificate on segments different from that designated in the certificate, the said points are eligible to be certificated pursuant to section 401 (e) (3) of the Act as served by the carrier pursuant to such exemptions during the period from May 19, 1955 to May 27, 1955.

Thus, the Board proposes to require the carrier to show cause why Lima, Ohio, should not be certificated as an intermediate point on segment 6 of route No. 88, why Kokomo-Logansport-Peru, Indiana, should not be certificated as an intermediate point on segment 2 and as a terminal point on segment 6 of route No. 88, and why Marion, Indiana, should not be temporarily certificated as an intermediate point on segment 1 and segment 6 of route No. 88.

The Board further believes that the terms and conditions set forth in the certificate of public convenience and necessity last issued by the Board to Lake Central may not be expanded in a certificate to be issued pursuant to section 401 (e) (3) of the Act in such manner as to grant authority to said carrier in excess of or differing from that set forth in the certificate of public convenience and necessity last issued to this carrier.

Thus, the certificate which the Board proposes to issue to Lake Central under section 401 (e) (3) of the Act does not include the modifications requested by the carrier in paragraph IV sub-paragraph B of its application to omit the requirement of service at Kokomo-Logansport-Peru, Indiana, through the Bunker Hill Airport. The presently effective temporary exemption authorization which permits Lake Central to serve Kokomo-Logansport-Peru through Kokomo Municipal Airport is, however, being continued in effect by the proposed supplemental order attached hereto as Appendix B.

The Board does not believe that authority granted to Lake Central pursuant to § 202.4 of the Economic Regulations of the Board or by temporary exemption, subsequent to the issuance of the last certificate of public convenience and necessity issued by the Board to said air carrier permitting on-segment changes in the service pattern should be incorporated in a certificate issued to Lake Central pursuant to section 401 (e) (3) of the act. In the interest of convenience and clarity the Board will restate the carrier's outstanding service pattern modifications in a single order, a draft of which is attached hereto as Appendix B.

It is our intention to strictly limit this proceeding to a consideration of issues directly pertaining to the grant, pursuant to section 401 (e) (3) of the act, of permanent or temporary authority to serve points served by Lake Central during the period from May 19, 1955 to May 27, 1955. We believe the public interest requires expeditious disposition of the proceeding and are therefore adopting a procedure intended to shorten the proceeding while at the same time fully protecting the interests of all interested persons. We are requiring Lake Central to show cause why the Board should not issue an order making final the tentative findings and conclusions set forth in this order and issue a certificate of public convenience and necessity in the form attached hereto as Appendix A. After allowing interested persons a reasonable period within which to submit objections to the Board's order, Lake Central's application and the order to show cause will be set for immediate hearing in Washington before a hearing examiner of the Board. Lake Central and all interested persons who desire to be heard in connection with this matter are hereby notified that they may file written objection to the Board's tentative findings and conclusions within 15 days from the date of this order. The hearing will be limited to consideration of the issues raised by such objections. Objections should be in the nature of exceptions, should be brief and concise, and should not contain argument or factual data which the objecting party intends to rely on at the hearing in support of its objections.

It is also our intention to officially notice all reports, tariffs and schedules required to be filed with the Board by all air carriers, as well as all public Board reports based on these data,[2] so that these materials need not be specially compiled for the record in this proceeding.

On the basis of the foregoing considerations and the data set forth in Appendixes C, D, E, and F hereof, which are hereby incorporated into this order and shall constitute part of the record in this proceeding,[3] the Board finds that:

1. Lake Central is a citizen of the United States of America as defined by section 1 (13) of the act.

2. From January 1, 1953 to May 27, 1955 Lake Central was an air carrier providing within the continental limits of the United States, local or feeder service consisting of the carriage of persons, property and mail pursuant to a temporary certificate of public convenience and necessity for route No. 88 issued by the Civil Aeronautics Board, continuously operating as such (except as to interruptions of service over which Lake Central had no control)

3. Lake Central has continuously served the following terminal and intermediate points during the period from May 19, 1955 to May 27, 1955:

Grand Rapids, Mich.	Columbus, Ohio.
Kalamazoo, Mich.	Marion, Ohio.
South Bend, Ind.	Mansfield, Ohio.
Kokomo-Logansport-Peru, Ind.	Lima, Ohio.
Indianapolis, Ind.	Cleveland, Ohio.
Chicago, Ill.	Zanesville, Ohio.
Gary, Ind.	Dover-New Philadelphia, Ohio.
Lafayette, Ind.	Pittsburgh, Pa.
Marion, Ind.	Youngstown, Ohio.
Richmond, Ind.	Bloomington, Ind.
Cincinnati, Ohio.	Terre Haute, Ind.
Dayton, Ohio.	Danville, Ill.
Springfield, Ohio.	

4. The service rendered by Lake Central during the period from December 30, 1952, the date of its last certification, to the present has been adequate and efficient within the meaning of section 401 (e) (3) of the Act.

5. The following intermediate points, which on the basis of the most recent available data have generated an average of five or more enplaned passengers per day, should be designated as points of unlimited duration:

(a) On Lake Central's segment 1, the intermediate points Kalamazoo, Mich., South Bend and Kokomo-Logansport-Peru, Ind.,

(b) On segment 2, the intermediate points Lafayette and Kokomo-Logansport-Peru, Ind.,

(c) On segment 3, the intermediate point Kokomo-Logansport-Peru, Ind.,

(d) On segment 4, the intermediate points Columbus and Mansfield, Ohio;

(e) On segment 6, the intermediate points Lima and Mansfield, Ohio;

(f) On segment 7, the intermediate points Terre Haute, Ind., and Danville, Ill.

6. On the basis of the most recent available data the following intermediate points have generated less than 5 enplaned passengers per day, and therefore have generated insufficient traffic to warrant a finding that the public convenience and necessity requires permanent certification; but that certification of each of said points for a period of 3 years is warranted:

(a) On Lake Central's segment 1, the intermediate point Marion, Ind.,

(b) On segment 2, the intermediate point Gary, Ind.,

[2] We will also officially notice the Origination-Destination Airline Traffic Surveys published by the Airline Finance and Accounting Conference from information compiled by the Board.

[3] Filed as part of original document.

(c) On segment 3, the intermediate points Gary, Marion and Richmond, Ind.,

(d) On segment 4, the intermediate points Richmond, Ind., Dayton, Springfield and Marion, Ohio;

(e) On segment 5, the intermediate points Zanesville and Dover-New Philadelphia, Ohio;

(f) On segment 6, the intermediate points Marion, Ind. and Marion, Ohio;

(g) On segment 7, the intermediate point Bloomington, Ind.

7. The intermediate point, Muncie, Indiana is meligible for certification pursuant to section 401 (e) (3) of the Act because it was never served by Lake Central; however, it is appropriate to include all Lake Central's effective certificate authority in one document. Therefore, Lake Central's present authority to serve Muncie should be carried forward in the certificate to be issued in this proceeding.

Therefore it is ordered, That:

1. Lake Central is directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and issue the proposed certificate of public convenience and necessity in the form attached hereto as Appendix A, and further issue the proposed supplementary order in the form attached hereto as Appendix B;

2. Lake Central and any other interested person having objection to the issuance of an order making final the tentative findings and conclusions stated herein, or to the issuance of the aforesaid proposed certificate and supplementary order, shall, within 15 days from the date thereof, file written notice of objection with the Board;

3. On the expiration of the 15-day period allowed for the filing of objections, this proceeding shall be set for immediate hearing before an examiner of this Board. The hearing shall be limited to consideration of issues raised by the objections filed;

4. Copies of this order shall be served on Lake Central, the Mayor of Muncie, Indiana, the Mayor of each city served by Lake Central on route No. 88 during the period May 19, 1955 to May 27, 1955, and on every certificated air carrier serving a point served by Lake Central on route No. 88 during that period;

5. This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[4]

[SEAL] M. C. MULLIGAN,
Secretary.

[4] Rizley, Chairman; Adams, Vice Chairman; Lee and Denny, Members of the Board, concurred in the above statement and order.

Separate concurring and dissenting statement of Member Chan Gurney: Consistent with my dissent in Southwest Airways Permanent Certificate Case, Docket No. 7193, issued September 27, 1955, I do not concur in the proposal to establish a uniform period of three years' duration for all points renewed on a temporary basis. In all other respects I agree with the majority.

APPENDIX A

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR LOCAL OR FEEDER SERVICE

Lake Central Airlines, Inc., is hereby authorized, subject to the provisions hereinafter set forth, the provisions of Title IV of the Civil Aeronautics Act of 1938, as amended, and the orders, rules and regulations issued thereunder, to engage in air transportation with respect to persons, property and mail, as follows:

1. Between the terminal point Grand Rapids, Mich., the intermediate points Kalamazoo, Mich., South Bend, Kokomo-Logansport-Peru (to be served through the Bunker Hill Airport) and Marion, Ind., and the terminal point Indianapolis, Ind.,

2. Between the terminal point Chicago, Ill., the intermediate points Gary, LaFayette, and Kokomo-Logansport-Peru (to be served through the Bunker Hill Airport) Ind., and the terminal point Indianapolis, Ind.,

3. Between the terminal point Chicago, Ill., the intermediate points Gary, Kokomo-Logansport-Peru (to be served through the Bunker Hill Airport), Marion, Muncie and Richmond, Ind., and the terminal point Cincinnati, Ohio;

4. Between the terminal point Indianapolis, Ind., the intermediate points Richmond, Ind., Dayton, Springfield, Columbus, Marion and Mansfield, Ohio, and the terminal point Cleveland, Ohio;

5. Between the terminal point Columbus, Ohio, the intermediate points Zanesville and Dover-New Philadelphia, Ohio, and (a) beyond Dover-New Philadelphia, the terminal point Pittsburgh, Pa., and (b) beyond Dover-New Philadelphia, the terminal point Youngstown, Ohio;

6. Between the terminal point Kokomo-Logansport-Peru, Ind. (to be served through the Bunker Hill Airport), the intermediate points Marion, Ind., Lima, Marion and Mansfield, Ohio, and the terminal point Dover-New Philadelphia, Ohio;

7. Between the terminal point Indianapolis, Ind., the intermediate points Bloomington and Terre Haute, Ind., Danville, Ill., and the terminal point Chicago, Ill.,

to be known as Route No. 88.

The service herein authorized is subject to the following terms, conditions and limitations:

(1) The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board; and may begin or terminate, or begin and terminate, trips at points short of terminal points.

(2) The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may regularly serve a point named herein through any airport convenient thereto.

(3) On each trip operated by the holder over all or part of one of the seven numbered route segments in this certificate, the holder shall stop at each point named between the point of origin and point of termination of such trip on such segment, except a point or points with respect to which (a) the Board, pursuant to such procedure as the Board may from time to time prescribe, may by order relieve the holder from the requirements of such condition, (b) the holder is authorized by the Board to suspend service, or (c) the holder is unable to render service on such trip because of adverse weather conditions or other conditions which the holder could not reasonably have been expected to foresee or control.

(4) Notwithstanding the provisions of paragraph (3) above, the holder may on all trips scheduled over all or part of segment 7 omit any point or points to which the holder has scheduled at least two round trips a day, subject to the restriction that, except when the carrier serves Terre Haute, Ind., as an intermediate point, the holder shall schedule service to a minimum of two intermediate points on said segment.

(5) The holder shall comply with the conditions set forth in paragraph 3 of Order No. E-7054, dated December 30, 1952, as modified by Order No. E-8495, July 18, 1955.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

The services authorized by this certificate were originally established pursuant to a determination of policy by the Civil Aeronautics Board that in the discharge of its obligation to encourage and develop air transportation under the Civil Aeronautics Act, as amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate the holder acknowledges and agrees that the primary purpose of the certificate is to authorize and require it to offer short-haul, local or feeder, air transportation service of the character described above.

This certificate shall be effective on _____, 1955: *Provided, however,* That prior to the date on which the certificate would otherwise become effective the Board, either on its own initiative or upon the timely filing of a petition or petitions seeking reconsideration of the Board's order of _____, 1955 (Order No. E- ____), insofar as such order authorizes the issuance of this certificate may by order or orders extend such effective date from time to time.

The authorization to serve Gary, Richmond, Marion, and Bloomington, Ind., and Dayton, Springfield, Zanesville, and Dover-New Philadelphia, Ohio, on Segment 5, and the authorization to serve Marion, Ohio, shall continue in effect up to and including _____. The authorization to serve Muncie, Ind., shall continue in effect up to and including December 31, 1955.

In witness whereof, the Civil Aeronautics Board has caused this certificate to be executed by its Chairman, and the seal of the Board to be affixed hereto, attested by the Secretary of the Board, on the _____ day of _____, 1955.

[SEAL] ROSS RIZLEY,
Chairman.

Attest:

_____, _____, _____,
Secretary.

APPENDIX B

PROPOSED DRAFT OF ORDER TERMINATING EXCESSIVE PERIOD OF TEMPORARY SERVICE AUTHORIZATIONS

The Board has by Order E-____, dated _____, 1955, granted a certificate of public convenience and necessity of unlimited duration to Lake Central Airlines, Inc. (Lake Central) authorizing Lake Central to engage in air transportation of persons, property and mail over route No. 88. In the past Lake Central has been authorized to conduct operations differing in certain particulars from the authority stated in its temporary certificate of public convenience and necessity for route No. 88.

The term of effectiveness of some of these authorizations is unlimited, while others

would expire at the end of a stated period. The reasons for issuance of these temporary authorizations appear to be still applicable to Lake Central in its operation under the certificate of unlimited duration concurrently issued herewith. It, therefore, appears to the Board that it is in the public interest and consistent with the act to continue these outstanding temporary authorizations in effect for an additional period of time. In extending these authorizations, it appears desirable to include all currently effective authorizations which are not included in or disposed of in the new certificate in one order which will become effective at the same time the new certificate of unlimited duration becomes effective.

Accordingly, the Board, acting pursuant to sections 205 (a) and 416 (b) of the Civil Aeronautics Act of 1938, as amended, and to Part 202.4 of its Economic Regulations, finds:

1. That the enforcement of the provisions of section 401 (a) of the act and of Lake Central's certificate, insofar as it would otherwise prevent the operations hereinafter authorized, would be an undue burden upon Lake Central by reason of the limited extent of, or unusual circumstances affecting its operations and is not in the public interest;

2. That the enforcement of the condition in Lake Central's certificate which requires it on each flight over all or part of the several numbered route segments on route No. 88 to stop at each point named between the point of origin and the point of termination of such flight unless otherwise authorized by the Board, to the extent that it would prevent the service pattern hereinafter authorized, would prevent a service pattern which is in the public interest and which is consistent with Lake Central's performance of a local or feeder air transportation service and is not required by nor is it in the public interest;

3. The authority granted by ordering paragraph 1 (a) of Order E–7220, March 11, 1953, as amended by Order E–7754, September 24, 1953, and ordering paragraph 1 (a) of Order E–8835, December 21, 1954, authorizing Lake Central to serve Kokomo-Logansport-Peru, Ind., as an intermediate point on segment 2 of route No. 88 should and will be terminated because the point Kokomo-Logansport-Peru is included as an intermediate point on segment 2 of the certificate being issued to Lake Central concurrently with this order;

4. The authority granted by ordering paragraph 1 (b) of Order E–7220, March 11, 1953, insofar as it authorized Lake Central to serve Marion, Indiana, on segment 1 of route No. 88 should and will be terminated because the point Marion is included as an intermediate point on segment 1 of the certificate being issued to Lake Central concurrently with this order;

5. The authority granted by ordering paragraph 1 (c) of Order E–7220, March 11, 1953, authorizing Lake Central to serve Kokomo-Logansport-Peru as the western terminal of segment 6 of Route No. 88 until such time as airport facilities adequate for the scheduled operations of Lake Central become available at Marion, Indiana (the western terminal point of segment 6), should and will be terminated because the point Kokomo-Logansport-Peru is included as the western terminal point on segment 6 of the certificate being issued to Lake Central concurrently with this order;

6. The authority granted by Order E–7958, December 11, 1953, as amended by ordering paragraph 2 of Order E–8835, December 21, 1954, authorizing Lake Central to engage in air transportation of persons, property and mail to and from Lima, Ohio, as an intermediate point on segment 6 of route No. 88 should and will be terminated because the point Lima is included as an intermediate point on segment 6 of the certificate being issued to Lake Central concurrently with this order;

Accordingly, it is ordered, That:

1. Lake Central be and hereby is authorized to suspend service temporarily at Muncie, Indiana, until an economically adequate airport is available (previously authorized by Order E–7306);

2. Lake Central be and hereby is temporarily exempted from the provisions of section 401 (a) of the Act, insofar as said provisions would otherwise prevent Lake Central from serving either Kokomo, Ind. or Lafayette, Ind. on a flagstop basis on flights between Chicago and Indianapolis; *Provided,* That on each such flight a physical landing of its aircraft is made at either Kokomo or Lafayette (previously authorized by Order E–6750);

3. Lake Central be and hereby is temporarily exempted from the enforcement of section 401 of the Act and the terms and conditions of its certificate for route No. 88 insofar as it would otherwise prevent Lake Central from:

(a) Serving Marion, Indiana, as well as Kokomo-Logansport-Peru, Indiana, through the Kokomo Municipal Airport until such time as airport facilities adequate for the scheduled operations of Lake Central become available at Marion; and from serving Marion, Indiana, as aforesaid, on segments 3 and 6 of route No. 88 (previously authorized by ordering paragraph 1 (b) of Order E–7220);

(b) Serving Kokomo-Logansport-Peru, Indiana, through the Kokomo Municipal Airport until such time as Bunker Hill Airport is fully adequate for the scheduled operations of Lake Central and its facilities can be made available to such carrier (previously authorized by ordering paragraph 1 (d) of Order E–7220);

(c) Overflying Dover-New Philadelphia as the junction point of segments 5 and 6 of route No. 88 on flights scheduled to reach that point during hours of darkness, until such time as lighting facilities at Dover-New Philadelphia become adequate for night operations of Lake Central's aircraft (previously authorized by ordering paragraph 1 (e) of Order E–7220);

4. Lake Central be and hereby is authorized to overfly·

(a) Gary, Kokomo-Logansport-Peru and Lafayette on flights over segment 2: *Provided,* That on each of such flights at least one physical landing of the aircraft is made at one of the aforesaid intermediate points;

(b) Zanesville and Dover-New Philadelphia on segment 5 on flights between Columbus and Youngstown and, on flights between Columbus and Pittsburgh: *Provided,* That on each of such latter flights a physical landing of the aircraft is made at one of the said points;

(c) Marion, Ohio, and Mansfield on flights over segment 4: *Provided,* That on each of such flights a physical landing of the aircraft is made at one of the said points; and, on flights over segment 6; and *Provided further* That on flights scheduled between Chicago and Pittsburgh over segments 3, 6 and 5 that at least two physical landings of the aircraft shall be made at intermediate points; and *Provided further,* That the authority hereinabove granted is subject to the condition that there shall be no persons, property or mail on the aircraft destined for such points and no such traffic is available for the flight at the time which would be its time of departure had a physical landing been made; and, *Provided still further* That the Board in its discretion may at any time disapprove the use of such authority with respect to service to any of the said points on any flights or flight (previously authorized by ordering paragraph 2 of Order E–7220);

5. Lake Central be and hereby is authorized to overfly the point Gary, on segments 2 and 3 on flights scheduled to arrive at said point during hours of darkness until such time as airport lighting facilities are adequate for night operation of Lake Central's aircraft: *Provided,* That Gary shall be served by at least one round trip daily; and, *Provided further* That on such flights a physical landing of the aircraft shall be made at either Lafayette or Kokomo-Logansport-Peru (previously authorized by ordering paragraph 3 of Order E–7220);

6. Lake Central be and hereby is authorized to overfly the point Dover-New Philadelphia, on segments 5 and 6 on flights scheduled to arrive at said point during hours of darkness until such time as airport lighting facilities are adequate for night operation of Lake Central's aircraft: *Provided,* That Dover-New Philadelphia shall be served by at least one round trip daily on flights over segment 6 and on flights between Columbus and Youngstown and by at least one round trip daily on flights between Columbus and Pittsburgh; and, *Provided, further,* That on each such flight between Columbus and Pittsburgh a physical landing shall be made at Zanesville, until airport lighting facilities at Dover-New Philadelphia are adequate for night operation of Lake Central's aircraft (previously authorized by ordering paragraph 4 of Order E–7220)·

7. Lake Central be and hereby is authorized to serve Springfield, Ohio through the regular use of the Dayton Municipal Airport (previously authorized by Order E–9132);

8. Lake Central be and hereby is authorized to render flagstop service at any of the intermediate points between the terminal points Grand Rapids and Indianapolis on segment 1 of route No. 88, by omitting the physical landing of its aircraft at any intermediate point scheduled to be served on route segment 1 on a particular flight: *Provided,* That there are no persons, property or mail on the aircraft destined for such point and no such traffic available at such intermediate point for the flight at the scheduled time of departure: *Provided, further,* That the Board in its discretion may at any time disapprove the use of such authority with respect to service to any point on any flight or flights (previously authorized by Orders E–4346 and E–6139);

9. (a) Lake Central be and hereby is authorized to overfly intermediate points on flights over segments 2, 3, 4, 5, and 6 of route No. 88; *Provided,* That the authority hereinabove is subject to the condition that there shall be no persons, property, or mail on the aircraft destined for such points and no such traffic is available for the flight at the time which would be its time of departure had a physical landing been made;

(b) Lake Central be and hereby is temporarily exempted from section 401 of the Act and the terms and conditions of its certificate, insofar as it otherwise would be required on flights operating over two or more segments of route No. 88 to stop at the junction point of such segments; *Provided,* That the authority hereinabove is subject to the condition that there shall be no persons, property, or mail on the aircraft destined for such points and no such traffic is available for the flight at the time which would be its time of departure had a physical landing been made;

(c) That in the exercise of the authority granted in paragraphs (a) and (b) hereinabove Lake Central shall:

(1) Make one physical landing of its aircraft on flights between Chicago and Indianapolis, on flights between Columbus and Pittsburgh, on flights between Chicago and Dayton, and on flights between Chicago and Columbus;

(2) Make two physical landings of its aircraft on flights between Chicago and Cincinnati, and on flights between Chicago and Cleveland;

(3) Make three physical landings of its aircraft on flights between Chicago and Pittsburgh;

(d) That Lake Central be and hereby is authorized to overfly·

(1) Zanesville and Dover-New Philadelphia on all flights between Columbus and Youngstown in excess of one round trip daily;

(2) Richmond on all flights between Indianapolis and Dayton in excess of one round trip daily, and on flights between Indianapolis and Cincinnati in excess of one round trip daily;

(3) Springfield on all flights between Dayton and Columbus in excess of one round trip daily;

(4) Kokomo-Logansport-Peru on all flights between Indianapolis and South Bend in excess of one round trip daily;

(5) Kokomo - Logansport - Peru, South Bend, and Kalamazoo on all flights between Indianapolis and Grand Rapids in excess of one round trip daily; *Provided*, That South Bend shall receive service on a minimum of four one-way flights daily;

(e) That in the exercise of the authority hereinabove granted Lake Central shall not operate shuttle service between the following pairs of points: Indianapolis-Cincinnati, Indianapolis-Dayton, and Dayton-Columbus (previously authorized by Order E-8593);

10. The authority previously granted to Lake Central by Orders E-7306, E-7220, E-7754, E-8835, E-6750, E-4346 and E-6139 insofar as they pertain to Lake Central, E-7958, E-8593 and E-9132 shall be terminated on the date this order and the certificate of public convenience and necessity of unlimited duration for route No. 88 being issued to Lake Central concurrently with the issuance of this order become effective.

11. The change in service pattern and temporary exemption authorizations granted herein shall become effective ----------, concurrently with the effective date of the certificate issued to Lake Central in Docket No. 7186;

12. This order or any part thereof may be amended or revoked at any time in the discretion of the Board without notice and without hearing.

By the Civil Aeronautics Board:

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 55-7961; Filed, Sept. 30, 1955; 8:54 a. m.]

INTERDEPARTMENTAL COMMITTEE ON TRADE AGREEMENTS

TRADE AGREEMENT NEGOTIATIONS WITH GOVERNMENTS WHICH ARE CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

POSSIBLE ADJUSTMENT IN PREFERENTIAL RATES ON CUBAN PRODUCTS; NOTICE OF CORRECTIONS TO LIST OF ARTICLES

Reference is made to the notice of the Interdepartmental Committee on Trade Agreements dated September 21, 1955, and published September 23, 1955 (20 F. R. 7140) relating to trade agreement negotiations with foreign governments which are contracting parties to the General Agreement on Tariffs and Trade.

There is set forth below a list of corrections to the list of articles imported into the United States proposed for consideration in trade agreement negotiations annexed to the notice by the Committee dated September 21, 1955, and published September 23, 1955 (20 F. R. 7140) The list annexed to the notice of September 21, 1955, and published September 23, 1955, shall read as corrected by this notice.

By direction of the Interdepartmental Committee on Trade Agreements this 29th day of September 1955.

CARL D. CORSE,
Chairman, Interdepartmental Committee on Trade Agreements.

CORRECTIONS TO LIST OF ARTICLES IMPORTED INTO THE UNITED STATES ANNEXED TO THE NOTICE OF SEPTEMBER 21, 1955, AND PUBLISHED SEPTEMBER 23, 1955

Par. 35: Delete the word "drugs"

Par. 217: Change the period at the end of the descriptive language to a comma and add "and if holding less than ½ pint."

Par. 218 (c) (h). After the word "filled" insert "with toilet preparations,"

Par. 220 (d). Delete the language "building" blocks or brick, crystal coin, and plated and polished nut-undercoated"

Par. 330: Change the word "household" the second time it appears to "hospital"

Par. 706. For the word "Oleo" substitute "Edible animal livers, kidneys, tongues, hearts, sweetbreads, tripe, and brains, fresh, chilled, or frozen"

Par. 1003. Delete "20-pound but not finer in size than"

Par. 1021. Insert at the end of the descriptive language "(except grass or rice straw floor coverings)"

Par. 1531: Insert "straps and straps;" before "wearing apparel, wholly or in chief value of reptile leather;"

[F. R. Doc. 55-8021; Filed, Sept. 30, 1955; 10:23 a. m.]

TRADE AGREEMENT NEGOTIATIONS WITH GOVERNMENTS WHICH ARE CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

POSSIBLE ADJUSTMENT IN PREFERENTIAL RATES ON CUBAN PRODUCTS

Correction

In Federal Register Document 55-7713, published in the issue for Friday, September 23, 1955, at page 7140, Paragraph 1529 (a) in Schedule 15 of the List should read as follows:

Par.

*1528 (a) [6] The articles and materials described in this subparagraph (except articles and materials provided for in paragraph 915, 920, 1009, 1022, 1111, 1116 (a), 1504, 1505, 1513, 1518, 1523, 1529 (b), or 1530 (e), or in the Free List) shall be dutiable under this subparagraph, whether finished or unfinished, by whatever name known, to whatever use applied, and whether or not provided for elsewhere in this Act, when wholly or in chief value of beads, bugles, bullions, filaments, lame, metal threads, rayon or other synthetic textile, spangles, threads, tinsel wire, or yarns.

All-overs, edgings, flouncings, flutings, fringes, galloons, gimps, insertings, neck rufflings, ornaments, quillings, ruchings, trimmings, and tuckings:

[1] All-overs, edgings, flouncings, galloons, and insertings, if burnt-out laces or Swiss type,[9]

[2] *Other, if not described in subdivision 24, 25, 26, or 27.*

Articles (including fabrics), figured or plain, made on a lace or net machine:

[3] *Nets and nettings, not embroidered:*

Made on a bobbinet machine and wholly or in chief value of—

Cotton, having per square inch—

Under 225 holes.

225 or more holes.

Rayon or other synthetic textile.

Silk.

Other material.

Made on other than a bobbinet machine and wholly or in chief value of cotton, silk, or rayon or other synthetic textile.

[4] *Other, if not described elsewhere in this subparagraph.*

Articles (including fabrics), ornamented: [10]

[5] Antimacassars,

aprons,	mats,
bed sets,	motifs,
bedspreads,	napkins,
bolster cases,	oblongs,
boudoir caps,	ovals,
bridge and luncheon sets,	paneling,
bureau and table scarfs and sets,	panels,
chair arm and chair back covers,	piano scarfs,
collar and cuff sets,	pillowcases,
collars,	plastrons,
cuffs,	purses,
curtains,	rounds,
doilies,	sheets,
glove cases,	squares,
handbags,	tablecloths,
handkerchief cases,	valances, and
jabots,	yokes;

all the foregoing, if Swiss type,[11] whether or not described elsewhere in this subparagraph.

[6] *Articles not described elsewhere in this subparagraph:*

Wholly or in chief value of vegetable fiber:

Pillowcases, sheets, and *damask napkins and table cloths, not wholly or in chief value of cotton.*

Other.

Other.

See footnotes on p. 7347.

POSSIBLE ADJUSTMENT IN PREFERENTIAL RATES ON CUBAN PRODUCTS—continued

Par	
*1528 (a)[8]	
[7]	Gloves and mittens embroidered in any manner wholly or in chief value of wool
[8]	*Hose and half hose embroidered in any manner (including those with embroidery known as clocking):*
	Wholly or in chief value of cotton and valued per dozen pairs—
	Not over $5
	Over $5
	Wholly or in chief value of wool and valued per dozen pairs—
	Not over $3 50
	Over $3 50
[9]	*Wearing apparel not described elsewhere in this subparagraph (except gloves and mittens wholly or in chief value of wool)*
	Articles (including fabrics) wholly or in part of any product provided for in this subparagraph:
	If wholly of handmade lace see subdivision 27
[10]	In chief value of all overs edgings flouncings galloons or insertings or of two or more of these products if in chief value of burnt out lace or if Swiss type[12] and other than wearing apparel
[11]	*In part of braids not suitable for making or ornamenting bonnets, hats or hoods but not in part of lace and not ornamented[13] (except gloves and mittens wholly or in chief value of wool)*
[12]	*In part but not wholly of handmade lace and containing no machine made product provided for in this subparagraph whether or not described elsewhere in this subparagraph:*
	Wearing apparel (except articles described in subdivision 19 and except gloves and mittens wholly or in chief value of wool)
	Other than wearing apparel:
	If none of the lace is over 2 inches wide
	Other valued per pound—
	Not over $50
	Over $50 but under $150
	$150 or more
[13]	*In part of handmade lace but containing a machine-made product (other than lace) provided for in this subparagraph:*
	Wearing apparel (except articles described in subdivision 10 19 or 29 and except gloves and mittens wholly or in chief value of wool)
	Other if not described elsewhere in this subparagraph
[14]	*In part of machine-made lace and not described elsewhere in this subparagraph:*
	Wearing apparel (except gloves and mittens wholly or in chief value of wool)
	Other.
[15]	*Not described elsewhere in this subparagraph (except hats bonnets and hoods not knit or crocheted wholly or in chief value of rayon or other synthetic textile and wholly or in part of braids suitable for making or ornamenting hats bonnets, or hoods but not in part of lace lace fabrics, lace articles or material which is ornamented)* [14]
[16]	*Wholly or in chief value of lace, net or netting or of combinations of two or more of these materials and made in designs or patterns formed wholly or in substantial part by joining (by applique or otherwise) machine-made, or handmade and machine-made materials by handwork if not described elsewhere in this subparagraph*
[17]	*Wholly or in part of all overs edgings flouncings flutings fringes galloons gimps insertings neck ruffilings ornaments, quillings ruchings trimmings or tuckings if not in part of lace and not ornamented[15] (except articles described in subdivision 10 and except gloves and mittens wholly or in chief value of wool)*

See footnotes on p 7347

POSSIBLE ADJUSTMENT IN PREFERENTIAL RATES ON CUBAN PRODUCTS—continued

Par	
*1528 (a)[8]	
[18]	*Wholly or in part of net or netting and not described elsewhere in this subparagraph:*
	Wearing apparel (except gloves and mittens wholly or in chief value of wool)
	Other
[19]	*Bandeaux brassieres brassieres corsets, girdle corsets, step in corsets; corsets girdle corsets or step in corsets, attached to bandeaux-brassieres or brassieres; similar body-supporting garments; and articles to which any of the foregoing is attached; all the foregoing whether or not described elsewhere in this subparagraph (except articles described in subdivision 10)*
[20]	*Bedspreads and quilts, wholly or in chief value of cotton in the piece or otherwise block-printed by hand, and in part of fringe*
	Braids loom woven and ornamented in the process of weaving or made by hand or on a braiding knitting or lace machine:
[21]	Suitable for making or ornamenting bonnets hats or hoods:
	Wholly or in chief value of rayon or other synthetic textile or of filaments threads or yarns other than cotton (including bandings or braids made wholly or in part of braids) and valued per pound—
	Under $1 11⅛
	$1 11⅛ or more but not over $2 22⅝
	Over $2 22⅝
	Other
[22]	*Not suitable for making or ornamenting bonnets hats or hoods*
[23]	Bureau and table covers centerpieces doilies napkins runners and scarfs made of plain woven cotton cloth block-printed by hand, and in part of fringe
	Lace and lace articles, made by hand or on a braiding, knitting, lace or net machine (not including products described in subdivision 1 or 28):
[24]	*Made on a bobbinet Jacquard machine, whether or not embroidered (except products described in subdivision 29)*
[25]	Made on a Levers (including go-through) machine whether or not embroidered (except products described in subdivision 29):
	Made full gauge on a machine of 12 point or finer:
	Wholly or in chief value of cotton and made with independent beams
	Wholly or in chief value of silk
	Other
	Not made full gauge on a machine of 12 point or finer:
	Wholly or in chief value of cotton rayon or other synthetic textile, or silk
	Other
[26]	Made on a machine other than a Levers (including go through) or bobbinet-Jacquard machine (except products described in subdivision 29)
[27]	*Made wholly by hand without the use of any machine made product provided for in this subparagraph:*
	Over 2 inches wide and valued per pound—
	Not over $50:
	Wholly or in chief value of vegetable fiber other than cotton
	Other
	Over $50 but under $150
	$150 or more
	Not over 2 inches wide:
	Wholly or in chief value of vegetable fiber other than cotton
	Other.

TRADE AGREEMENT NEGOTIATIONS WITH GOVERNMENTS WHICH ARE CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE—Continued

POSSIBLE ADJUSTMENT IN PREFERENTIAL RATES ON CUBAN PRODUCTS—continued

Par.
*1528 (a)[8]
[28] Lace window curtains.
[29] *Veils and veilings:*
Made on a lace or net machine, whether or not embroidered:
Wholly or in chief value of rayon or other synthetic textile or of silk.
Other.
Other, if not described elsewhere in this subparagraph.

[8] Because of the complexity involved in the listing of items provided for in paragraph 1529 (a), Tariff Act of 1930, the full text of the descriptive language of paragraph 1529 (a), as restated in "United States Import Duties (1952)" is herein set forth and listed items are identified by italicizing of pertinent language.

[9] Wherever the term "Swiss type" is used in this subparagraph, it means "if embroidered or tamboured and in chief value of cotton, but not lace or lace articles made in any part on a lace machine, and not embroidered or tamboured in any part by hand nor (except for embroidery on the edge) otherwise than with the use of a Bonnaz, Cornely, or multiple-needle embroidery machine (but no product shall be excluded from this description by reason of the incidental ornamentation thereof by hand by means of faggotting, spider work, or similar stitches, extending across openwork resulting from the removal of part of the fabric)."

[10] Wherever the word "ornamented" is used in this subparagraph with a reference to this note, it means "embroidered (whether or not the embroidery is on a scalloped edge), tamboured, appliqued, ornamented with beads, bugles, or spangles, or from which threads have been omitted, drawn, punched, or cut, and with threads introduced after weaving to finish or ornament the openwork, not including one row of straight hemstitching adjoining the hem."

[11] See note 9 to subdivision [1].
[12] See note 9 to subdivision [1].
[13] See note 10 to subdivision [5].
[14] See note 10 to subdivision [5].
[15] See note 10 to subdivision [5].

COMMITTEE FOR RECIPROCITY INFORMATION

TRADE AGREEMENT NEGOTIATIONS WITH GOVERNMENTS WHICH ARE CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

POSSIBLE ADJUSTMENT IN PREFERENTIAL RATES ON CUBAN PRODUCTS; CLOSING DATE FOR FILING BRIEFS BY PERSONS NOT DESIRING TO BE HEARD

Reference is made to the notice of the Committee for Reciprocity Information dated September 21, 1955, and published September 23, 1955 (20 F. R. 7152) regarding trade agreement negotiations with governments which are contracting parties to the General Agreement on Tariffs and Trade.

Notice is hereby given that written statements of persons who do not desire to be heard in regard to the proposed negotiations shall be submitted not later than 12:00 noon October 17, 1955. Such statements shall be addressed to "Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C." Fifteen copies thereof, either typed, printed, or duplicated shall be submitted, of which one copy shall be sworn to.

By direction of the Committee for Reciprocity Information this 29th day of September 1955.

EDWARD YARDLEY,
Secretary, Committee for Reciprocity Information.

[F. R. Doc. 55-8022; Filed, Sept. 30, 1955; 10:26 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3400]

NEW ENGLAND ELECTRIC SYSTEM AND NEW ENGLAND POWER CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF ADDITIONAL COMMON STOCK BY SUBSIDIARY TO PARENT

SEPTEMBER 26, 1955.

New England Electric System ("NEES") a registered holding company, and its public-utility subsidiary New England Power Company ("NEPCO") having filed a joint application, and an amendment thereto, pursuant to sections 6 (b) 9 (a) and 10 of the Public Utility Holding Company Act of 1935 ("Act") regarding the following proposed transactions:

NEPCO will issue and sell to NEES, sole owner of NEPCO's presently outstanding 2,145,135 shares of common stock ($20 par value), 333,333 additional shares at the price of $30 per share, or an aggregate cash consideration of $9,933,990. NEES expects the required funds will be available in part from payment of indebtedness by its subsidiaries and in part from treasury funds. NEPCO proposes to apply said funds to the payment of short-term bank loans (now $5,500,000, with an anticipated increase prior to the receipt of the said funds) and the balance, if any, to pay for capitalizable expenditures or to reimburse its treasury therefor.

The issuance and sale by NEPCO of the additional shares as aforesaid has been approved by the Department of Public Utilities of Massachusetts, in which State NEPCO is organized and doing business as an electric-utility company and such issuance and sale of additional shares by NEPCO has likewise been approved by the Public Utilities Commission of New Hampshire and by the Public Service Commission of Vermont, in which States the company also owns properties and does business as an electric-utility company.

Due notice having been given of the filing of said application, and a hearing not having been requested of or ordered by the Commission, and the Commission finding with respect to the transactions described herein that the applicable provisions of the Act and the Rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that the application, as amended, be granted, effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Act, that said application, as amended, be, and it hereby is, granted forthwith, subject to the conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55-7939; Filed, Sept. 30, 1955; 8:49 a. m.]

[File No. 70-3414]

NEW ENGLAND ELECTRIC SYSTEM AND QUINCY ELECTRIC CO.

NOTICE OF PROPOSED ISSUANCE AND SALE OF COMMON STOCK BY SUBSIDIARY AND ACQUISITION THEREOF BY PARENT

SEPTEMBER 27, 1955.

Notice is hereby given that New England Electric System ("NEES"), a registered holding company, and its public-utility subsidiary Quincy Electric Company ("Quincy") have filed a joint application pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6 (b) 9 (a) and 10 of the Act as applicable to the proposed transactions, which are summarized as follows:

Quincy, which now has outstanding 36,226 shares of capital stock (par value $25 per share) proposes to issue and sell for cash 13,000 additional shares at the price of $75 a share, as fixed by its directors, or a total cash consideration of $975,000. NEES, the sole stockholder of Quincy, proposes to acquire the additional shares, and in payment therefor to use available treasury funds. The proceeds from the sale of the additional shares will be applied by Quincy to the payment of a like amount of notes payable to NEES.

Quincy and NEES desire to consummate the transactions in order to finance permanently a portion of the capitalizable additions to Quincy's plant through the issuance of equity securities.

Quincy has applied to the Department of Public Utilities of Massachusetts, in which State the company is organized and doing business, for approval of the issuance and sale of the additional shares.

Total expenses of Quincy are estimated at $2,000 and of NEES at $300.

It is requested that the Commission's order be made effective upon issuance.

Notice is further given that any interested person may, not later than October 10, 1955 at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said application, as filed or as amended, may be granted as provided in Rule U-23 of the Rules and Regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-7931; Filed, Sept. 30, 1955; 8:48 a. m.]

[File No. 54-215]

STANDARD POWER AND LIGHT CORP.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER LEGAL FEES AND EXPENSES

SEPTEMBER 27, 1955.

The Commission having approved, on October 29, 1954, a plan filed by Standard Power and Light Corporation ("Power") a registered holding company, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("Act") settling certain claims between Power and R. M. Byllesby and Company, the former parent of Power, which plan provided that Power would pay such fees and expenses as the Commission might allow in connection with the plan; and the Commission's order approving said plan having reserved jurisdiction with respect to the fees and expenses chargeable against Power; and

Thereafter, counsel for Power and certain of its stockholders having filed applications for the approval and allowance of fees and expenses in connection with services rendered herein; and Power's management having been requested by the Commission to conduct negotiations with the several applicants and to report to the Commission the fees and expenses which Power is willing to pay and which such applicants are willing to accept in payment for their respective services; and

By letter dated August 17, 1955, Power having reported to the Commission that, in addition to the fees and expenses of its own counsel, which had either been paid or as to which the amounts had been agreed upon, it had also reached agreement with the stockholders' representatives, who have indicated their willingness to accept amounts lower than originally requested—the several amounts being as follows:

Applicant	Fee	Expenses
Hellerstein & Rosier, company counsel	$45,000	$5,972.03
Seibert & Riggs, company counsel	10,000	191.71
Morton G. Rosenberg and Associates, counsel for common stockholders	6,000	430.53
Leo B. Mittelman, counsel for common stockholders	4,000	250.00

The Commission having reviewed the entire record and being of the opinion that the amounts of fees and expenses agreed upon as aforesaid are not unreasonable and are for necessary services, that such amounts should be approved, and that the jurisdiction heretofore reserved with respect thereto should be released:

It is ordered, That the applications, as amended, for allowances for services and reimbursement of expenses by the said applicants as stated above, be, and hereby are approved, and Power is directed to pay such amounts to the extent any portion thereof has not heretofore been paid.

It is further ordered, That the jurisdiction heretofore reserved with respect to the above fees and expenses be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-7932; Filed, Sept. 30, 1955; 8:49 a. m.]

[File No. 70-3403]

INTERSTATE POWER CO. AND EAST DUBUQUE ELECTRIC CO.

ORDER REGARDING LIQUIDATION OF WHOLLY-OWNED SUBSIDIARY

Interstate Power Company ("Interstate") a Delaware corporation and a registered holding company, and East Dubuque Electric Company ("East Dubuque") its wholly owned public utility subsidiary company and an Illinois corporation, having filed an application-declaration and amendments thereto with this Commission pursuant to sections 9 (a) 10, 12 (b) 12 (c), and 12 (f) of the Public Utility Holding Company Act of 1935 ("Act") and Rules U-42, U-43, U-44, U-45 and U-46 promulgated thereunder, regarding certain proposed transactions, which are summarized as follows:

Applicants-declarants propose the dissolution and complete liquidation of East Dubuque and the acquisition by Interstate as sole stockholder of all of the properties and assets of East Dubuque, subject to the assumption by Interstate of all of the liabilities of East Dubuque.

The Illinois Commerce Commission has approved the disposition by East Dubuque of its properties, the acquisition thereof by Interstate, and the mortgaging of such properties by Interstate.

Fees and expenses are estimated to be as follows:

Legal fees—Springer, Bergstrom & Crowe	$3,000
Printing of supplemental indentures	1,500
Miscellaneous expenses including traveling, telephone and other expenses	1,500
Total	6,000

Notice of the filing of the application-declaration having been duly given in the manner provided by Rule U-23 of the Rules and Regulations promulgated under the Act and no hearing having been requested of, or ordered by, the Commission; and the Commission finding that while the acquisition by Interstate of the utility assets presently owned by East Dubuque, having been expressly authorized by the Illinois Commerce Commission, is exempt from the provisions of sections 9 (a) and 10 of the Act by virtue of the provisions of section 9 (b) (1), such acquisition, as a transaction between affiliated companies is subject to the approval of the Commission pursuant to the provisions of Section 12 (f) and should be approved pursuant thereto, and that all other applicable provisions of the Act and the Rules thereunder are satisfied; that the fees and expenses set forth above are not unreasonable; and that the application-declaration should be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Act, that the application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-7933; Filed, Sept. 30, 1955; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-4579]

CITIES SERVICE OIL CO. ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 26, 1955.

Take notice that Cities Service Oil Company, for itself and wholly owned subsidiaries, Cities Service Gas Development Company (formerly American Gas Production Company), and Cities Service Production Company (formerly Cities Production Corporation) hereinafter referred to as Applicant filed an application on October 26, 1954, pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the Applicant to render service as reflected in the tabulation hereinafter set forth, subject to the jurisdiction of the Commission, all as more fully represented in the application on file with the Commission, and open to public inspection.

Applicant produces natural gas from the fields and locations, and sells it in interstate commerce to the purchasers shown, as described in the application filed in the above-designated docket, all shown in the following tabulation:

Docket No.	Purchaser	Field	County and State
G-4579	Northern Natural Gas Co	Hugoton	Morton, Grant, Finney, Seward, Stevens, Kans.
	Colorado Interstate Gas Co	do	Haskell, Kearney, Kans.
	Panhandle Eastern Pipe Line Co	do	Kansas.
	Kansas-Nebraska Natural Gas Co	do	Do.
	Cities Service Gas Co	do	Do.
	Colorado Interstate Gas Co	Greenwood	Morton County, Kans.
	Northern Natural Gas Co	Hugoton	Texas County, Okla.
	Colorado Interstate Gas Co	Keyes	Texas and Cimarron Counties, Okla.
	Lone Star Gas Co	Katy	Garvin County, Okla.
	do	Cruce	Stevens County, Okla.
	Union Gas System, Inc	North Osage	Osage County, Okla.
		Antioch Plant	Garvin County, Okla.
	Cities Service Gas Co	Lindsay Plant	McClain County, Okla.
		Maysville Plant	Garvin and McClain, Okla.
		Panther Creek Plant	Garvin County, Okla.
	Trunkline Gas Co	Columbus	Colorado County, Tex.
	do	Ramsay	Do.
	El Paso Natural Gas Co	Dollarhide	Andrews County, Texas.
	Lone Star Gas Co	Panhandle	Moore and Wheeler Counties, Tex.
	Northern Natural Gas Co	do	Carson and Gray Counties, Tex.
	El Paso Natural Gas Co	Payton	Pecos and Ward Counties, Tex.
	Texas Gas Transmission Co	Carthage	Panola County, Tex.
	Texas Eastern Transmission Corp	do	Do.
	Arkansas-Louisiana Gas Co	do	Do.
	Southern Natural Gas Co	do	Do.
	United Gas Pipe Line Co	do	Do.
	Arkansas-Louisiana Gas Co	North Lansing	Harrison County, Tex.
	Transcontinental Gas Pipe Line Co.	Mineral	Bee County, Tex.
	Tennessee Gas Transmission Co	New Ulm	Austin County, Tex.
	Texas Eastern Transmission Corp	Rudman	Bee County, Tex.
	do	South Cottonwood	DeWitt County, Tex.
	El Paso Natural Gas Co	Clara Couch	Crockett County, Tex.
	do	Northwest Wheeler	Winkler County, Tex.
	do	Southeast Lea County	Lea County, N. Mex
	do	do	Do.
	Permian Basin Pipe Line Co	do	Do.
	Trunkline Gas Corp	Lakeside	Cameron Parish, La.
	Texas Northern Gas Corp	Lewisburg	St. Landry and Acadia Parishes, La.
	United Gas Pipe Line Co	do	Do.
	Texas Northern Gas Corp	South Lewisburg	Acadia Parish, La.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on October 27, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (2) of the Commission's Rules of Practice and Procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before October 18, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefore is made. Under the procedure herein provided for, unless otherwise advised it will be unnecessary for applicant to appear or be represented at the hearing.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7935; Filed, Sept. 30, 1955; 8:49 a. m.]

[Docket No. G-3059]

GRAHAM OIL CO.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 26, 1955.

Take notice that Graham Oil Company (Applicant), an independent producer with a principal office in Temple, Oklahoma, filed an application on June 20, 1955, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to produce natural gas from the Walters Field, Cotton County, Oklahoma, which will be sold in interstate commerce to Lone Star Gas Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on October 28, 1955, at 9:40 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (2) of the Commission's Rules of Practice and Procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before October 19, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised it will be unnecessary for applicant to appear or be represented at the hearing.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7937; Filed, Sept. 30, 1955; 8:49 a. m.]

[Docket No. G-3183 etc.]

GAS TRANSMISSION CO., ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

SEPTEMBER 26, 1955.

In the matters of Gas Transmission Company, Docket No. G-3183; Gulf Oil Corporation, Docket Nos. G-7160, G-7161, Wm. Black Carr, et al., Docket No. G-7165; Gulf Refining Company, Docket Nos. G-7172, G-7173, G-7175, G-7177, K. S. Williams, Docket Nos. 7183, G-7184; Edwin Adkins, Docket No. G-7190; Pasotex Petroleum Co., Docket Nos. G-7194, G-7195, G-7196; Standard Oil Co. of Texas, Docket Nos. G-7211, G-7215, G-7216, G-7217, G-7218, G-7219, G-7220, G-7221, G-7222, G-7223, G-7224; Forest Oil Corporation, Docket No. G-7227 King, Warren & Dye, Docket No. G-7228; Southwest Natural Production Co., Docket No. G-7229; Lee Drilling Company, Docket No. G-7238; J. S. Abercrombie, Docket No. G-7239; Aztec Oil & Gas Co., Docket No. G-7241, W W Hamilton, et al., Docket No. G-7291, Davis Oil Company, Docket No. G-7315; Sun Oil Company, Docket Nos. G-7344, G-7345, G-7346; Hugh K. Haddon, Docket No. G-7362; Cunningham & Sweeny, Docket No. G-7365; J. F & P C. Flanigan, Docket No. G-7366; Falcon Seaboard Drilling Co., Docket No. G-7367; Clinton Henry, Docket No. G-7450; F. C. Parker, Docket No. G-7456.

Take notice that the above-designated Applicants filed applications under above-numbered dockets as reflected in the tabulation set forth herein, for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing each Applicant to render service as reflected in a tabulation set forth herein, subject to the jurisdiction of the Commission, all as more fully represented in the applications, which are on file with the Commission, and open for public inspection.

Applicants produce natural gas from the fields and locations and sell it in interstate commerce to the purchasers shown, as described in the applications filed in the dockets indicated, all shown in the following tabulation:

Docket No.	Purchaser	Field location		State
		Name	County	
G-3183	Cities Service Gas Co	Silver City	Creek	Oklahoma.
G-7160	Permian Bason Pipeline Co	Eumont, Jalmat, Blinebry, and Tubbs.	Lea	New Mexico.
G-7161	El Paso Natural Gas Co	Keystone, Ellenburger	Winkler	Texas.
G-7165	do	Blanco, Mesa Verde, and Pictured Cliffs.	San Juan and Rio Arriba	New Mexico.
G-7172	Louisiana Natural Gas Corp	Welsh	Jefferson Davis	Louisiana.
G-7173	Arkansas-Louisiana Gas Co	Jeems, Bayou	Caddo	Do.
G-7175	do	Haynesville	Clairborne	Do.
G-7177	United Gas Pipeline Co	Baxterville, Gwinville, and Soso.	Lamar, Marion, Jefferson Davis, Jasper, Jones, and Smith.	Mississippi.
G-7183	South Penn Natural Gas Co	No name	Daybreak	West Virginia.
G-7184	do	do	do	Do.
G-7190	United Gas Fuel Co	Laurel Hill District	Lincoln	Do.
G-7194	Warren Petroleum Co	Southwest Maysville	Garvin	Oklahoma.
G-7195	do	do	do	Do.
G-7196	do	do	do	Do.
G-7211	El Paso Natural Gas Co	Langlia-Mattix	Lea	New Mexico.
G-7215	Lone Star Gas Co	Sivels, Bend	Cooke	Texas.
G-7216	Texas Gas Corp	East Mayes and Northeast Jackson.	Chambers	Do.
G-7217	El Paso Natural Gas Co	Mattrix Unit, Fowler	Lea	New Mexico.
G-7218	do	Langlia, Mattix	do	Do.
G-7219	J. R. Butler, assigned to Reef's Field Gaso Corp.	Hobo	Borden	Texas.
G-7220	Lone Star Producing Co., et al.	Wilshire, Ellenberger	Upton	Do.
G-7221	Warren Petroleum Corp	Eumce, Monument	Lea	New Mexico.
G-7222	J. R. Butler, assigned to Reef's Field Gaso Corp.	East Veelmoor	Borden	Texas.
G-7223	El Paso Natural Gas Co	Langlia, Mattix, Cooper-Jal.	Lea	New Mexico.
G-7224	Warren Petroleum Corp	Skogas-McKee	do	Do.
G-7227	Tennessee Gas Transmission Co.	South Grand, Chenier	Cameron	Louisiana.
G-7228	Shell Oil Co	Wasson	Yoakum	Texas.
G-7229	South West Gas Producing Co.	Spraberry, North Ruston, and Unionville.	Lincoln	Louisiana.
G-7238	Lone Star Gas Co	Katie	Garvin	Oklahoma.
G-7239	United Gas Pipeline Co	Triple "A"	San Patricio	Texas.
G-7241	El Paso Natural Gas Co	Jalmat and Blanco-Pictured Cliffs.	Lea	New Mexico.
			San Juan	Do.
G-7291	do		Rio Arriba	Do.
G-7315	Kansas-Nebraska Natural Gas Co., Inc.	Yenter	Logan	Colorado.
G-7344	Lone Star Gas Co	For Graham	Carter	Oklahoma.
G-7345	do	Katie	Garvin	Do.
G-7346	do	do	do	Do.
G-7363	N. Y. State Natural Gas Corp.	Grant	Elk	Pennsylvania.
G-7365	Cumberland & Allegheny Gas Co.	Coper Creek Shaffer Base	Braxton	West Virginia.
G-7366	N. Y. State Natural Gas Corp.	Benzette Township	Elk	Pennsylvania.
G-7367	Lone Star Gas Co	Helvet-Peck	Garvin	Oklahoma.
G-7450	Dorchester Corp	West Panhandle	Carson	Texas.
G-7456	Southern Natural Gas Co	Spider	De Soto	Louisiana.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and Commission's Rules of Practice and Procedure, a hearing will be held on October 28, 1955, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (2) or section 1.32 (b) where requested of the Commission's Rules of Practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before October 17, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7938; Filed, Sept. 30, 1955; 8:49 a. m.]

[Project No. 82]

ALABAMA POWER CO.

NOTICE OF ORDER MODIFYING PREVIOUS ORDER

SEPTEMBER 27, 1955.

Notice is hereby given that on September 14, 1955, the Federal Power Commission issued its order adopted September 8, 1955, modifying order of June 22, 1955 (20 F R. 4830) approving revised exhibit and adjusting annual charges in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7939; Filed, Sept. 30, 1955; 8:49 a. m.]

[Docket No. G-5660]

SHELL OIL CO.

NOTICE OF CONTINUANCE OF HEARING

SEPTEMBER 26, 1955.

Upon consideration of the motion of Shell Oil Company, filed September 23, 1955, for continuance of the hearing in the above-designated matter now scheduled for October 6, 1955;

The hearing now scheduled for October 6, 1955, is postponed to a date to be hereafter fixed by further notice.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7940; Filed, Sept. 30, 1955; 8:50 a. m.]

[Docket No. G-8994]

COLUMBIAN FUEL CORP., ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

SEPTEMBER 27, 1955.

Columbian Fuel Corporation, a Delaware corporation whose address is 380 Madison Avenue, New York, New York, for itself and as Operator for Coltexo Corporation, United Producing Company, Inc., and Northern Natural Gas Producing Company, Applicants, filed an application on June 3, 1955, for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act. A supplement to this application was filed August 9, 1955 by Columbian Fuel Corporation as Nonoperator for itself and on behalf of United Producing Company, Inc., Hughes Seewald and James Forrest Bourk, Applicants (all are Non-operators) Applicants, hereinafter referred to as Applicant, seek authority to sell natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, as supplemented.

Applicant proposes to sell natural gas, from production in the Keyes Field, Cimarron County, Oklahoma, to Colorado Interstate Gas Company for transportation in interstate commerce for resale.

Commission letter dated June 30, 1955 granted temporary authorization to Columbian Fuel Corporation, et al., to sell natural gas in interstate commerce to Colorado Interstate Gas Company as proposed in its application filed on June 3, 1955 in Docket No. G-8994. Said grant was without prejudice to such final disposition of the application as the record might require.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on Friday, November 4, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (2) of the Commission's Rules of Practice and Procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before October 15, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7941; Filed, Sept. 30, 1955; 8:50 a. m.]

[Docket No. G-6762, etc.]

HUMBLE OIL & REFINING CO.

NOTICE OF APPLICATIONS AND DATE OF HEARING

SEPTEMBER 26, 1955.

In the matters of Humble Oil & Refining Company Docket Nos. G-6762 to G-6767, incl., Docket Nos. G-6769 to G-6774, incl., Docket Nos. G-6776 to G-6780, incl., Docket No. G-6782, Docket Nos. G-6784 to G-6785, incl., Docket Nos. G-6788 to G-6805, incl.

Take notice that Humble Oil & Refining Company, Applicant, a Texas corporation whose address is Humble Building, Houston 1, Texas, filed on November 30, 1954, applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant also filed: on December 17, 1954, amendments to applications docketed in G-6773 and G-6793; on July 21, 1955, an amendment to application docketed in G-6797; and on July 27, 1955, by letter dated July 26, a clarification of applications docketed in G-6796, G-6797 and G-6798.

Applicant sells natural gas, from production in wells and leases located as indicated below, to the persons as listed for resale after processing to other persons for transportation in interstate commerce for resale:

Docket No.	Source of gas	Purchaser
G-6778	North Goldsmith Field, Ector County, Tex.	Phillips Petroleum Co.
G-6779, G-6794, G-6795	Goldsmith Field, Ector County, Tex.	Do.
G-6770	Andector Field, Andrews and Ector Counties, Tex.	Do.
G-6773	Panhandle Field, Moore County, Tex.	Do.
G-6799, G-6762	McElroy Field, Crane County, Tex.	Do.
G-6762, G-6777, G-6805	Pampa Field, Gray County, Tex.	Do.
G-6772, G-6776, G-6788	Eunice Field, Lea County, N. Mex.	Do.
G-6771	Fullerton Field, Andrews County, Tex.	Phillips Petroleum Co., Fullerton Oil Co.[1]
G-6796, G-6797, G-6798, G-6800, G-6801	Cooper-Jal Field, Lea County, N. Mex.	El Paso Natural Gas Co.
G-6789	Langlie-Mattix Field, Lea County, N. Mex.	Do.
G-6793	Rincon Field, Starr County, Tex.	Continental Oil Co.
G-6763, G-6764, G-6765, G-6766, G-6767.	Wasson Field, Gaines and Yoakum Counties, Tex.	Shell Oil Co.
G-6785	Kelly-Snyder Field, Scurry County, Tex.	Standard Oil Co. of Texas
G-6790, G-6791	Monument Field, Lea County, N. Mex.	Warren Petroleum Corp.
G-6789	Emperor-Holt Field, Winkler County, Tex.	C. V. Lyman.
G-6804	Terry-Blinebry Field, Lea County, N. Mex.	Skelly Oil Co.
G-6803	Arrowhead, Brunson, Drinkard, North Hero (McKee), Paddock and Penrose-Skelly Fields, Lea County, N. Mex.	Do.
G-6769	Slaughter Field, Terry and Hockley Counties, Tex.	Stanolind Oil & Gas Co.
G-6802	Hastings Field, Brazoria County, Tex.	Do.
G-6774	Sand Hills Field, Crane County, Tex.	Gulf Oil Corp.
G-6792	Cogdell Field, Scurry and Kent Counties, Tex.	The Texas Co.
G-6784	La Capita Field, Starr County, Tex.	Sun Oil Co.
G-6782	Keystone-Silurian Field, Winkler County, Tex.	Sid Richardson Gasoline Co.

[1] Fullerton Oil Co. on July 23, 1954, merged with and into Fullerton Oil & Gas Corp. which subsequently on Nov. 30 1954, conveyed, assigned and transferred substantially all of its assets and liabilities and obligations to Monterey Oil Co.

These related matters—should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations, and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on Monday, October 31, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (2) of the Commission's Rules of Practice and Procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before October 11, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7939; Filed, Sept. 30, 1955; 8:49 a. m.]

[Docket No. G-9242]

MORRIS OIL AND GAS CO. INC.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 27, 1955.

Take notice that Morris Oil and Gas Company, Inc., Applicant, a West Virginia corporation whose address is Box 294, Grantsville, West Virginia, filed an application on August 19, 1955, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas, from production of 125 acres in Lockney Field, DeKalb District, Gilmer County, West Virginia, to Hope Natural Gas Company for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on Friday, November 4, 1955, at 9:40 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (2) of the Commission's Rules of Practice and Procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Pro-

cedure (18 CFR 1.8 or 1.10) on or before October 15, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7942; Filed, Sept. 30, 1955; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

DOMENICO MASTINI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Domenico Mastini, Milan, Italy, property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent Nos. 2,129,332 and 2,152,903. Claim No. 40637, Vesting Order No. 201.

Executed at Washington, D. C., on September 22, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-7946; Filed, Sept. 30, 1955; 8:50 a. m.]

FEDERICO MASTODANTE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Federico Mastodante, La Spezia, Italy, $2,573.72 in the Treasury of the United States. Claim No. 42228, Vesting Order No. 2023.

Executed at Washington, D. C., on September 22, 1955.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-7947; Filed, Sept. 30, 1955; 8:50 a. m.]

STEFANA IPPOLITO SICURELLA ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Stefana Ippolito Sicurella, Agrigento, Province of Agrigento, Sicily, Italy, $1,199.03 in the Treasury of the United States. Giuseppa (Giuseppa) Ippolito Arnone, Agrigento, Province of Agrigento, Sicily, Italy, $1,199.03 in the Treasury of the United States. Grazia Ruggeri, Agrigento, Province of Agrigento, Sicily, Italy, $599.51 in the Treasury of the United States. Calogera Ruggeri, Rue Avenue Germinal 31, Paturages, Province of Mons, Belgium, $599.52 in the Treasury of the United States. Claim No. 48048, Vesting Order No. 1071.

Executed at Washington, D. C., on September 22, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-7948; Filed, Sept. 30, 1955; 8:51 a. m.]

STEFANIE CZEPKA ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property and Location

Stefanie Czepka, Elsenz-Baden, Kreis-Sinsheim, Germany, Claim No. 63035; Marie Hartmann, Weller-Baden, Kreis-Sinsheim, Germany, Claim No. 63084; Anna Schaffer, Weller-Baden, Kreis-Sinsheim, Germany, Claim No. 63085; Hedwig Teichmann, Steinsfurt-Baden, Kreis-Sinsheim, Germany, Claim No. 63174; Emma Kubitza, Steinsfurt-Baden, Kreis-Sinsheim, Germany, Claim No. 63182. All right, title, interest and claim of any kind or character whatsoever of Stefanie Czepka, also known as Stepanka Cepkova, Marie Hartmann, also known as Marie Hartmannova, Anna Schaffer, also known as Anna Schafferova, Hedwig Teichmann, also known as Hedvika Teichmannova, and Emma Kubitza, also known as Anna (Emma) Kubicova, acquired by the Attorney General pursuant to Vesting Order Nos. 16960 and 17411, in and to a sum of money in the amount of $9,842.30, deposited with the Treasurer of Mahoning County, Ohio, pursuant to an Order of the Probate Court of Mahoning County, Ohio, entered June 5, 1944. Such sum is in the process of administration by the Treasurer of Mahoning County, Ohio, as depositary, acting under the judicial supervision of the Probate Court of Mahoning County, Ohio.

Executed at Washington, D. C., on September 22, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 55-7949; Filed, Sept. 30, 1955; 8:51 a. m.]

ADOLPH SIMSICH AND PETER EUGENE SIMSICH

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to § 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Adolf Simsich, $1,583.99. Peter Eugene Simsich, $2,213.61. Cash in the Treasury of the United States. Trieste, Italy. Claim No. 33270.

Executed at Washington, D. C., on September 23, 1955.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc 55-7950; Filed, Sept. 30, 1955; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 28, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 31137: *Manufactured Tobacco—Louisville, Ky., to Alabama.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on manufactured tobacco, viz., cigarettes, chewing, and smoking, carloads from Louisville, Ky., to Birmingham and Montgomery, Ala.

Grounds for relief: Circuitous routes.

Tariff: Supplement 239 to Agent Spaninger's I. C. C. 1062.

FSA No. 31138: *Tall Oil—De Ridder, La., to Goodyear, Miss.* Filed by F C. Kratzmeir, Agent, for interested rail carriers. Rates on crude tall oil (product of acidification of skimmings of soda

or sulphate black liquor) carloads from De Ridder, La., to Goodyear, La.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 101 to Agent Kratzmeir's I. C. C. 4087.

FSA No. 31139: *Merchandise—Chicago, Ill., to Smyrna, Tenn.* Filed by R. G. Raasch, Agent, for interested rail carriers. Rates on various commodities, in mixed carloads from Chicago, Ill., and points grouped therewith and taking same rates to Smyrna, Tenn.

Grounds for relief: Motor truck competition and circuity.

Tariff: Supplement 15 to Agent Raasch's I. C. C. 789.

FSA No. 31140: *Iron and Steel Articles—Gadsden, Ala., Group to Cairo, Ill.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on iron and steel articles, carloads from Gadsden, Ala., and points grouped therewith to Cairo, Ill.

Grounds for relief: Circuitous routes operating in part west of the Mississippi River.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 55-7934; Filed, Sept. 30, 1955; 8:49 a. m.]